

SENATE.

FRIDAY, January 5, 1917.

(Legislative day of Thursday, January 4, 1917.)

The Senate reassembled at 12 o'clock m., on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hughes	Page	Smith, S. C.
Beckham	Johnson, S. Dak.	Phelan	Smoot
Brandeggee	Jones	Pittman	Sterling
Bryan	Kenyon	PoinDEXTER	Swanson
Chamberlain	Kirby	Pomerene	Thomas
Chilton	Lane	Ransdell	Thompson
Clapp	Lewis	Robinson	Tillman
Clark	Lodge	Saulsbury	Townsend
Culberson	McCumber	Shafroth	Vardaman
Curtis	Martin, Va.	Sheppard	Walsh
Fletcher	Martine, N. J.	Sherman	Watson
Gronna	Nelson	Simmons	Works
Hardwick	Norris	Smith, Ga.	
Hitchcock	Oliver	Smith, Md.	
Hollis	Overman	Smith, Mich.	

Mr. CHILTON. My colleague [Mr. Goff] is absent on account of illness.

Mr. JOHNSON of South Dakota. I desire to announce that the Senator from Wisconsin [Mr. HUSTING] is unavoidably absent.

Mr. HUGHES. I wish to announce the unavoidable absence of the senior Senator from Kentucky [Mr. JAMES] on account of illness.

Mr. MARTINE of New Jersey. I desire to announce that the Senator from Oklahoma [Mr. GORE] is detained at his home through illness.

Mr. CLARK. I wish to announce the unavoidable absence of my colleague [Mr. WARREN]. I will let this announcement stand for the day.

The PRESIDENT pro tempore. Fifty-seven Senators have answered to their names. There is a quorum present. The Senator from California [Mr. WORKS] is entitled to the floor.

Mr. CHAMBERLAIN. Will the Senator from California permit me to interrupt him to request the consideration of a resolution asking for information from one of the departments?

Mr. WORKS. I yield for that purpose.

GENERAL EDUCATION BOARD.

Mr. CHAMBERLAIN submitted the following resolution (S. Res. 307), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior is hereby requested and directed to furnish to the Senate the following information: The relation, if any, of the organizations known as the General Education Board of the Rockefeller Foundation, the Carnegie Foundation, or any other private or corporate enterprise to the work of the Bureau of Education; a statement showing the names and positions of all employees, if any, of the Bureau of Education whose salaries are paid in whole or in part from funds contributed by the Rockefeller Foundation, the Carnegie Foundation, or from any other private or corporate funds or from funds derived from any source other than the Government of the United States; the names and positions of all administrative or other officers, if any, of the Bureau of Education who are in any way connected with the work of the General Education Board of the Rockefeller Foundation, the Carnegie Foundation, or any other private or corporate enterprise, and the salaries, if any, received by them from the said Rockefeller Foundation, the Carnegie Foundation, or any other private or corporate or other source than the Government of the United States.

SENATOR FROM WASHINGTON.

Mr. JONES. Mr. President, it is with pleasure that I present the credentials of my colleague [Mr. POINDEXTER], elected to the United States Senate. I ask that they be read.

The credentials were read and ordered to be filed, as follows:

STATE OF WASHINGTON,
EXECUTIVE DEPARTMENT, OLYMPIA.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1916, MILES POINDEXTER was duly chosen by the qualified electors of the State of Washington a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1917.

In witness whereof I have hereunto set my hand and caused the seal of the State to be affixed at Olympia this 28th day of December, in the year of our Lord 1916.

[SEAL.]

ERNEST LISTER, Governor.

By the governor:

I. M. HOWELL, Secretary of State.

PEACE OVERTURE.

Mr. JONES. Mr. President, with the leave of the Senator from California, I desire to present an amendment which I

intend to propose to the resolution of the Senator from Nebraska [Mr. HITCHCOCK]. I ask that it may be read, printed, and lie on the table.

The PRESIDENT pro tempore. Without objection, the amendment will be read.

The SECRETARY. It is proposed to amend Senate resolution 298 as follows:

Strike out the words "action taken" and insert the word "request."

Strike out the word "sending" in line 2.

In line 4 strike out the words "suggesting and recommending."

So that if amended the resolution would read as follows:

Resolved, That the Senate approves and strongly indorses the request by the President in the diplomatic notes of December 18 to the nations now engaged in war that those nations state the terms upon which peace might be discussed.

Mr. NORRIS. Mr. President, I wish to present an amendment to Senate resolution 298.

The PRESIDENT pro tempore. Does the Senator from California yield?

Mr. WORKS. I yield for that purpose.

Mr. NORRIS. I ask that the Secretary read the amendment to the so-called Hitchcock resolution that I offer and also read the resolution as it would read if amended.

The PRESIDENT pro tempore. The Secretary will read as requested.

The SECRETARY. In line 4 of the resolution strike out the words "suggesting and recommending" and insert in lieu thereof the words "in so far as said notes recommend," so that if amended the resolution would read as follows:

Resolved, That the Senate approves and strongly indorses the action taken by the President in sending the diplomatic notes of December 18 to the nations now engaged in war in so far as said notes recommend that those nations state the terms upon which peace might be discussed.

The PRESIDENT pro tempore. The amendment will be printed and lie on the table.

Mr. WORKS resumed and concluded the speech begun by him yesterday. The speech entire is as follows:

DOWNWARD TENDENCIES OF GOVERNMENT AND CITIZENSHIP.

Mr. WORKS. Mr. President, I am soon to turn back to the people of California the trust they imposed upon me by electing me a Member of this body. I do so voluntarily, without regret, and with entire satisfaction. I came to the Senate too late in life to render any great or lasting service to my country if I were otherwise competent and able to do so, but not too late to learn by experience some valuable lessons and to acquire most important information respecting some of the weaknesses of our form of government and its administration and the dangers that are confronting the Nation now and which may, unless jealously guarded against, threaten, if not destroy, our republican institutions; lessons that should be taught to every American citizen, especially of the younger generation, and information that should not be withheld from them—information that may put them on their guard and serve to make them better, more loyal, more patriotic citizens.

I am a very sincere believer in the beneficence and practical value to the human race of our form of government. The men who founded the Government and framed the Constitution for the guidance and protection of its people builded wiser and better than they then knew. Human foresight could not have disclosed to them the future growth and greatness of the country, its future relations with other nations of the world, its vast trade and commerce at home and abroad, and the complications and vexing problems that must arise under these changed conditions. It is one of the wonders of their wisdom and forethought and their anxious desire to lay the foundations of the Government deep and sure that the form of government devised by them and the Constitution they established has served every purpose of the Government, with all its growth and expansion, with but slight changes, for more than a century. They laid the foundation of a Government of 13 States, with a population of less than 4,000,000 people. It has now become a Nation of 48 States, some of them greater and more powerful and with a population in each of them greater than the entire Nation at the time the Constitution was adopted, and the population of the entire Nation exceeds 100,000,000 people. The fact that we might become an imperial Government and acquire control of and govern foreign territory inhabited by peoples of another tongue than our own was not contemplated by the framers of the Constitution. And yet its provisions, its authority, its limitations have been sufficient to meet the necessities, the complications, and the increased obligations of the Nation as a great world power. Their work is one of the greatest wonders of the world.

Mr. President, I have no doubt of the efficiency of our form of government. Rightly administered and patriotically pre-

served and protected, the Government will endure for all time and stand as a safe and lasting protection of its people in their lives and their liberties. The dangers to the Republic and the liberties of its people do not arise from any weakness or defect in our form of government, but from a departure from its principles, the maladministration of its affairs, the failure to observe and enforce its free principles, and the disregard and violation of the provisions and particularly the limitations of the Constitution. That these things are being done repeatedly, day after day, no one who has served in this body as long as I have can entertain the slightest doubt. That they are perilous to our free institutions and may, and, if persisted in, will eventually compass their destruction, is certain. Thomas Jefferson, one of the greatest statesmen of his time, and a profound believer in the wisdom of our form of government, was apprehensive of the dangers that are now actually confronting us and of the effect of a disregard of the limitations of the Constitution. His greatest fear, often affirmed, was of the unwarranted usurpation by the courts of a power not given them. Subsequent events have amply proved that his fears were not without foundation. The Constitution relating to the powers of the National Government as they affect the sovereign rights of the States has been so expanded to meet apparent necessities as to make it in many respects a wholly different Constitution from that designed and formulated by its framers and as understood and construed by them. Some of the decisions of the court of last resort are practically amendments to the Constitution brought about without the assent of the people given in the manner provided in the Constitution itself. But this stretch of authority by the judicial department of the Government is insignificant when compared with the encroachments on the Constitution and usurpation of authority by the President of the United States, the head of the executive department.

It is my purpose to deal freely, frankly, and without reservation with present and past conditions and tendencies and their probable, if not certain, effects upon the future destinies of the country and its people. Before passing to the discussion of particular evil tendencies, let me say a word on the general subject of the decay and downfall of nations and the fears of some of our own countrymen for the future of this Republic.

It is sometimes maintained that nations, like men, grow from infancy to manhood or full growth and then decline in strength and life until final dissolution. Draper in his *Intellectual Development of Europe* takes the unqualified position that nations like individuals are born, grow, and crumble away by the process of their own growth. Be this as it may, there are evils that afflict the life of a nation just as men are afflicted with disease and these may sap the vitality and hasten the decay and final downfall and dissolution of the nation as the death of man is hastened by disease.

In the preface to *An Inquiry into the Permanent Causes of the Decline and Fall of Powerful and Wealthy Nations*, by William Playfair, published in 1805, the author quotes Edmund Burke as saying:

In all speculations upon men and human affairs it is of no small moment to distinguish things of accident from permanent causes and from effects that can not be altered. I am not quite of the mind of those speculators who seem assured that necessarily and by the constitution of things all States have the same period of infancy, manhood, and decrepitude that are found in the individuals who compose them. The objects which are attempted to be forced into an analogy are not founded in the same classes of existence. Individuals are physical beings, subject to laws universal and invariable; but commonwealths are not physical, but moral essences. They are artificial combinations, and in their proximate efficient cause the arbitrary productions of the human mind. * * * I doubt whether the history of mankind is yet complete enough, if ever it can be so, to furnish grounds for a sure theory on the internal causes which necessarily affect the fortune of a State. I am far from denying the operation of such causes, but they are infinitely uncertain and much more obscure and much more difficult to trace than the foreign causes that tend to depress and sometimes overwhelm society.

In commenting on this statement of Mr. Burke the author says:

The writer, who has thus expressed his skepticism on this sort of inquiry, speaks at the same time of the importance of distinguishing between accidental and permanent causes. He doubts whether the history of mankind is complete enough, or if ever it can be so, to furnish grounds for a sure theory on the internal causes which necessarily affect the fortune of a State. Thus he not only admits the existence of permanent causes, but says clearly that it is from history they are discoverable, if ever their discovery can be accomplished. This is going as far as we could wish, and as for the sure theory we join issue with him in despairing of ever obtaining one that will deserve the name of sure.

When the Romans were in their vigor their city was besieged by the Gauls and saved by an animal of proverbial stupidity, but this could not have happened when Attila was under the walls and the energy of the citizens was gone. The taking or saving the city in the first instance would have been equally accidental and the consequences of

short duration, but in the latter days the fall of Rome was owing to permanent causes, and the effect has been without a remedy.

It is, then, only concerning the permanent causes—that is to say, causes that are constantly acting and produce permanent effects—that we mean to inquire, and even with regard to those it is not expected to establish a theory that will be applicable with certainty to the preservation of a State, but merely to establish one, which may serve as a safe guide on a subject the importance of which is great beyond calculation.

There remains but one other consideration in reply to this, and that is, whether States have necessarily by the constitution and nature of things the same periods of infancy, manhood, and decrepitude that are found in the individuals that compose them. Mr. Burke thinks they have not; and, indeed, if they had, the following inquiry would be of no sort of utility. It is of no importance to seek for means of preventing what must of necessity come to pass; but if the word necessity is changed for tendency or propensity, then it becomes an inquiry deserving attention, and as all States have risen, flourished, and fallen there can be no dispute with regard to their tendency to do so.

It must be observed also that the nature and kind of government should be taken into account in any effort to determine the effects upon its future life and efficiency of given evils that may have entered into its social and economic affairs or its administration. In theory at least our own Republic is governed by the people, through representatives chosen by them in the manner provided by law. It is not a pure democracy, but a representative democracy properly denominated a Republic. Such a government may be destroyed by taking away from the people its control and administration. It may by acts of usurpation on the part of its chosen representatives be converted into a despotism under a dictator, made so by his own assumption and exercise of unwarranted and unlawful power; and the union of the States may be destroyed by the usurpation of unconstitutional power on the part of the Federal Government, thus making it a centralized, despotic government ruled by one man, completely destroying popular and free government and converting it into something much worse than a lawfully constituted monarchy. And, sir, that is the greatest danger that is confronting this Nation now, as I shall show presently, and it is a growing menace to free popular government.

In the very interesting book to which I have just referred it is further said, in justification of the efforts of the author to trace the causes of the decay of nations:

The history of 3,000 years, and of nations that have risen to wealth and power, in a great variety of situations, all terminating with a considerable degree of similarity, discovers the great outline of the causes that invigorate or degrade the human mind and thereby raise or ruin states and empires.

By almost common consent there are two recognized causes of national decay, namely, inordinate wealth and great power exceeding that of other nations. Gibbon in his *Decline and Fall of the Roman Empire* says:

The decline of Rome was the natural and inevitable effect of immoderate greatness. Prosperity ripened the principle of decay, the causes of destruction multiplied with the extent of conquest, and as soon as time or accident had removed the artificial supports the stupendous fabric yielded to the pressure of its own weight.

Ferrero in his *Greatness and Decline of Rome* couples with this the loss of power on the part of the senate, the indifference of the aristocracy to the affairs of the empire and the interests of the people. Lecky in his *History of European Morals* attributes the decay of Rome to three great causes—the imperial system, the institution of slavery, and the gladiatorial shows—and says:

The theory of the Roman Empire was that of a representative despotism. The various offices of the Republic were not annihilated, but they were gradually concentrated in a single man. The senate was still ostensibly the depository of supreme power, but it was made, in fact, the mere creature of the Emperor, whose power was virtually uncontrolled.

Mr. President, if we substitute the President of this Republic for the Roman Emperor and the Congress of the United States for the Roman Senate, we have here a not inaccurate description of the condition to which we are rapidly tending. Wealth results in enervating and corrupting idleness and luxury, and excessive power and greatness leads to encroachments upon other countries, conquest, and the acquisition of foreign territory. That our own Nation is now feeling the evil effects of its growing wealth and power, tending to its final destruction, no observing and thoughtful man will presume to deny. The great problem is whether the good sense and patriotism of the masses of the American people, especially of the so-called middle class, are going to be able to withstand this downward tendency of government and preserve the Nation in the form in which our ancestors handed it down to us. I have great faith in the patriotism and manhood of the American people. I believe if they are warned in time and made to comprehend the dangers threatening their Government, they will meet and overcome those dangers by their loyal support of the principles upon which the Government is founded. But, sir, they need to be warned. An earnest appeal to their loyalty and love of liberty

at such a time and in the face of impending danger to the most cherished principles of freedom and independence of the State and the individual can not be out of place in this Chamber.

Again, turning to the book from which I first quoted, we find this relating to the experience of the Roman Empire that is not without significance as applied to our own present condition:

After the great influx of wealth had corrupted Rome, its public expenses increased at an enormous rate, till at last that portion of the tribute exacted from the Provinces which it pleased the armies and the generals to remit to Rome became unequal to the expenditure. Taxation of every kind then became necessary in Italy itself, and the evils that attend the multiplication of imposts were greatly augmented by the ignorant manner in which they were laid on, by men who understood little but military affairs, added to the severe manner in which they were levied by a rude, imperious, and debauched soldiery.

The enormous expenses of our Government, constantly increasing, and the great increase in our Army and Navy, when we look back at the awful experience of other nations, should give us pause and lead us to look to our own tendencies downward.

The book from which I have been quoting was written more than a hundred years ago, but it contains much matter worthy of thought and consideration. If we come down to later times and consider the words of wisdom coming from our own countrymen and other statesmen and students of the history of nations, we have even greater reason to look into the conditions and tendencies of our own Republic and the manners of its people. These I shall consider more in detail when I come to deal with specific evils threatening to our own Nation.

The late Lord Roberts, the great English general, believed that one of the great causes of national degeneracy and decay is overcivilization and that the remedy for it is war.

I am not willing to accept the theory that war is a necessary or even an efficient means of regenerating a profligate or venal government. There must be a higher and more efficient means than this. Civic virtue, or true patriotism, can not come out of the horrors of wholesale murder. A corrupt nation that goes to war will inevitably sink again to this low standard when the war is over. The remedy lies in the better education of the people, an aroused patriotism, and, in a government of the people, a truer sense of the individual duty and responsibility of its citizens.

Having thus briefly and inadequately dealt with the general subject, and especially the dangers that confront every nation whatever its form of government, I pass to a more detailed consideration of some of the specific evils that are threatening the perpetuity of our own Republic.

EXECUTIVE USURPATION OF POWER.

As a fitting text for what I am about to say on the subject of executive usurpation of power, I take the following plank of the Democratic platform of 1912:

We believe in the preservation and maintenance in their full strength and integrity of the three coordinate branches of the Federal Government—the executive, the legislative, and the judicial—each keeping within its own bounds and not encroaching upon the just powers of either of the others.

Many of the planks of that platform have been ruthlessly violated in practice by this administration, which came into power under it, but none more openly and flagrantly than this one. We look in vain in the Democratic platform of 1916 for a renewal of this wholesome pledge.

As I have pointed out, the fear of judicial usurpation of power was uppermost in the mind of Mr. Jefferson, but he and others were able to see the danger now confronting us of the unwarranted and unconstitutional usurpation of power by the President, amounting, practically, to a dictatorship, and the complacent surrender of its powers and functions and abandonment of its duties and obligations by the Congress of the United States. The tendency toward centralized, unchecked, and unlimited power on the part of the President has existed for some years past and has grown rapidly worse and more offensive in the last four years. Never in the entire history of the country has the President so completely and defiantly usurped the law-making powers of the Government and dictated and forced the course of Congress, and never has the Congress been so submissive or subservient to a power outside itself. Never in all our history have we come so near to a despotic government by a dictator as during the last four years.

Members of Congress have, under the lash of Executive and party domination, surrendered their conscientious convictions and voted against their own sentiments of right and justice. We have on the statute books to-day not one but many enactments that are the laws of a dictator and not the free and voluntary acts of the Congress, and we have men holding offices of the highest trust whose confirmation was the result of this same dictatorial power and not the free and voluntary action of this body.

In a speech delivered by me March 6, 1914, in this Chamber, on "One year of Democratic rule," I had this to say on this subject:

Mr. President, I come now to comment on what I consider one of the most important of the questions that are confronting Congress to-day, if not the most important of them all, and that is the evident purpose of the Executive to dominate and control the legislative branch of the Government. I have had occasion to speak of it before and since this administration came into power. It was bad enough under previous administrations, but in this one it has increased a hundred-fold over anything that has been known in the past. This dominating influence has become so insistent and continuous, and has been submitted to so slavishly by the majority of Congress, that the independence and usefulness of the legislative branch of the Government are both threatened. It has been so asserted and exercised and obediently submitted to that we have come perilously near to a dictatorship. The President has not contented himself by advising what measures should be considered by Congress and vetoing them if they do not meet his approval, as the Constitution authorizes him to do. He has demanded that certain legislation shall be enacted, has insisted upon Congress remaining in session until the laws he insists upon are enacted, and the secret caucus is made the instrument with which to enforce his will. As a consequence we have laws on the statute books that are in effect, and in reality, Executive orders and not legislative acts. They are legislation of and enacted by the executive department and not by Congress. It is a condition that should attract the serious attention of the whole country. We have three distinct departments of government. They were intended by the framers of the Constitution to be independent of each other. It has, up to a very late period, been regarded as absolutely necessary to the liberty of the people and the public welfare that this independence should be maintained.

I then quoted, and now repeat, the wise caution of George Washington in his Farewell Address, in which he said:

It is important, likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power by dividing and distributing it into different depositories and constituting each the guardian of the public weal against the invasions of the others has been evidenced by experiments, ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates; but let there be no change by usurpation, for though this in one instance may be the instrument of good it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

And in the case of *Kilbourn v. Thompson* (103 U. S., 190) the Supreme Court of the United States had this to say on this important subject:

It is believed to be one of the chief merits of the American system of written constitutional law that all the powers intrusted to Government, whether State or National, are divided into the three grand departments, the executive, the legislative, and the judicial. That the functions appropriate to each of these branches of government shall be vested in a separate body of public servants, and that the perfection of the system requires that the lines which separate and divide these departments shall be broadly and clearly defined. It is also essential to the successful working of this system that the persons intrusted with power in any one of these branches shall not be permitted to encroach upon the power confided to the others, but that each shall by the law of its creation be limited to the exercise of the powers appropriate to its own department and no other.

The court, in its opinion, referred to some exceptions to the general rule including the influence of the President over legislation by veto and the power of the Senate to participate in appointments to office, but these do not affect the question I am now discussing.

Mr. Jefferson, who, as I have said, was fearful of the effect of the undue assumption of power on the part of the President and his control over other departments of Government, has this to say:

I said to the President [Washington] that if the equilibrium of the three great bodies, legislative, executive, and judiciary, could be preserved, if the legislature could be kept independent, I should never fear the result of such a government, but I could not but be uneasy when I saw that the executive had swallowed up the legislative branch.

What has destroyed the liberty and the rights of man in every government which has ever existed under the sun? The generalizing and concentrating all cares and powers into one body, no matter whether of the autocrats of Russia or France or of the aristocrats of a Venetian senate.

The President of the United States, by the Constitution, is possessed of greater power than most monarchs or kings. He is not only President of the Republic, but is Commander in Chief of both the Army and Navy, and is vested with full and unrestrained power in the administration of the Government's affairs and the execution and enforcement of its laws. It would seem that powers so vast as these would satisfy the ambition of any man.

Let me call attention to some of the flagrant unwarranted assumptions of power on the part of the President.

PANAMA CANAL TOLLS.

The Democratic platform under which the present administration came into power declared in respect of the Panama Canal:

We favor the exemption from toll of American ships engaged in coast-wise trade passing through the canal.

This platform declaration was supported by the President in his campaign for election. In conformity to it a law was passed exempting such ships from the payment of tolls. Soon after his election, in a message to Congress, he practically demanded that this free-toll clause in the law be repealed. He gave no specific reason for this change of sentiment on his own part or for his demand that the platform of his party should be violated by Democratic Members of Congress.

Leading Democratic Members of both House and Senate had not only voted for this exemption clause in the statute but had made speeches in its favor. On the demand of the President, and for no other apparent reason, the same Members made speeches in favor of repealing the statute that they had so earnestly advocated, and voted for its repeal. The President was not content with recommending the repeal in his message. This was entirely within his constitutional powers. He urged it upon individual members of Congress in such way as to amount practically to a threat. He descended to the level of a common lobbyist made infinitely worse by the fact that as such his great office gave him a power and influence far exceeding that of all other lobbyists. This change of front on the part of Congress was a most humiliating spectacle. The lack of moral courage displayed by the legislative branch of the Government was a grave menace to good government. The conduct of the President was that of a dictator and not the act of a President of the United States. It was the act of a public official who either did not understand or was willing to violate the constitutional limitations of power by which he should have been controlled.

TRUST AND OTHER LEGISLATION.

When the Democratic Party came into possession of the Government, apparently next to getting control of all the offices its one desire and ambition was to pass some popular legislation that would perpetuate it in power. The people had been made to believe that antitrust legislation was necessary for the protection of the public interest; that we must have better banking and currency laws; that some means must be devised to enable the farmers to obtain additional credit and more easily borrow money and run into debt; that organized labor needed better protection; that the merchant marine needed legislative aid; and that Federal child-labor laws must be enacted for the better protection of children who were compelled by circumstances to engage in manual labor. Other laws were conceived to be necessary for the common good. The idea that such laws would be beneficial and for the general good was proclaimed and made popular. When this was done it was only necessary, in order to gain public favor, to enact laws properly labeled as antitrust, banking and currency, rural-credit, or child-labor laws. Whether they were good or bad, whether they were actually needed or not, that was of but little consequence. Up to the present time none of them have proved to be of any practical value, and in all probability never will be, but the people generally could not know this. Indeed, no one can tell to-day whether these much-boasted laws have served, or ever will serve, the public interests. But that made but little difference. They did serve the interests of the Democratic Party. They were heralded broadcast as the greatest legislative achievements in the history of the Government. Whether this claim had any merit other than a means of deceiving the public and securing votes time alone will tell. I venture to predict that the pretense that these laws were in the public interest will prove in the end to be almost, if not wholly, unfounded.

But, sir, I am not so much concerned just now as to the merits of these several laws as I am in the means by which they were enacted. They may not of themselves do any great harm if they do no good, but if they found their way onto the statute books through the exercise of unwarranted and unconstitutional power on the part of the executive department of the Government, that is a matter of transcendent importance. That the enactment of most of them was procured by such means we all know. They were first recommended by the President. In making this recommendation, if made by a message or messages to Congress in the manner authorized by the Constitution, the Executive was strictly within his rights and no one could justly complain of his action. But he did not stop there. He and his Cabinet joined in an effort to enforce and compel action on bills introduced to carry out his recommenda-

tions. The President and heads of the departments joined in the effort to influence action by Congress favorable to the views of the President. Individual Senators were interviewed by these executive officers, who should have had nothing to do with legislation. Meetings and consultations were held at the White House and directions given to Members of Congress respecting the kind of laws to be enacted, both the President and members of his Cabinet becoming lobbyists in behalf of the bills the Chief Magistrate desired to have passed. In order to insure their passage they were denominated "administration measures," and Members of Congress were appealed to to support the administration. If this was not sufficient to coerce action by Congress, secret caucuses were held and unwilling Members were bound by caucus action to support them, and caucus action was procured by the cry that they were "administration measures" and the President wanted them. Nothing like it was ever known before. Let us hope it will never happen again. If this kind of Executive coercion is persisted in and submitted to by Congress, then our Government is no longer a government of the people. It is not a democracy. It is not a republic. It is a despotism worse than any known monarchy.

I can not express by any language that I can call to my use my abhorrence of this despotic and dictatorial course on the part of the executive department of the Government or express strongly enough my fear and apprehension of the consequences of such course of conduct to the future of our country.

THE SHIP-PURCHASE BILL.

The ship-purchase bill furnishes a striking example of Executive legislation. An attempt was made at the last Congress to literally force it through by presidential and department dictation and caucus coercion. To their everlasting credit be it said that seven Democratic Senators stood by their convictions and opposed the passage of the bill to the end, in spite of the enormous pressure brought to bear upon them and the bitter personal abuse heaped upon them by some of their more submissive and time-serving colleagues. The bill, having been defeated by the last Congress, was again introduced at the last session, modified to meet the views of these opposing Senators. It is not my purpose to discuss the merits of the bill, which has now been passed and become a law. I am dealing only with the means by which it was forced through Congress, which was nothing less than shameful.

THE TARIFF LAW.

We have on the statutes now a tariff law which, if the European war had not intervened, would have been disastrous to the country. It was passed against the convictions of a majority of the Members of Congress and by the same methods employed to secure the passage of the ship-purchase bill. The President insisted upon having sugar and wool placed on the free list against the wishes and convictions of the leaders of his party in Congress, men who had studied the tariff question and were entirely familiar with the subject, while the President knew nothing about it. Notwithstanding this, he set his will against Congress and forced the bill through. This was well understood by everybody here. It was openly stated on the floor of the Senate by Senators of his own party. The folly of his insistence upon these provisions in the tariff law soon became apparent. The free-sugar clause lost the Government something like \$50,000,000. Without this source of revenue heavy direct taxes must be imposed to support the Government. So that clause of the law was repealed at the following session of Congress.

THE RESERVE-BANK ACT.

The reserve-bank act was another piece of legislation forced through an unwilling Congress by presidential dictation and caucus rule. Not only the President but members of his Cabinet, one in particular, brought to bear the whole power of the executive department of the Government to insure the passage of the bill. But for this unwarranted and unlawful interference the bill would never have been passed, the business of the country would never have been burdened with 12 reserve banks, when 1 bank would better have served the purpose sought to be accomplished—and no bank at all was necessary—nor would the people have been forced to pay the large and wholly unnecessary salaries of the Reserve Board and other expenses running up into the millions. The people have been made to believe that this banking and currency legislation was necessary; but everything that has been or ever will be accomplished by it could have been brought about by very simple provisions extending the powers of the Treasury Department, or, at most, the establishment of one central bank wholly under Government control and supervision. The scheme as now provided for has proved to be inefficient, unreasonably expensive, and unnecessary.

But this was an administration measure, and was forced through as such.

THE CHILD-LABOR BILL.

Bad as the others were, the Executive domination and control over the child-labor bill was probably the worst and least excusable of all. It was a popular measure. The election was coming on. Its passage by a Democratic Congress would make Democratic votes. The Democratic steering committee had missed this political opportunity. It had determined that this particular bill should go over to the next session. But the President saw the opportunity that must be taken advantage of to gain favor for his party. So, although he had previously declared such legislation to be unconstitutional, he came in person to the Capitol and interviewed individual Senators and insisted that this bill be made a part of the program for the balance of the session and be passed, and as usual he had his way. This was a plain case of private lobbying with individual Senators, which was unpardonable; but it was made much worse by the transparent political motive behind it and the inconsistent attitude of the President in insisting upon the passage of a bill that he himself had declared in unqualified terms to be in violation of the Constitution of the United States. The political character of the whole proceeding was clearly disclosed in the discussion of the bill. The attempt was made to excuse the President for this breach of official duty, to say nothing of the gross impropriety of it, by claiming that in what he did he was not acting as President of the United States but as the leader of his party. The following brief colloquy on the floor of the Senate between the able, fearless, and independent junior Senator from Georgia [Mr. HARDWICK] and myself discloses this fact:

Mr. WORKS. The Senator has referred to the very unfortunate fact that the President of the United States has come to be regarded also as the leader of the political party to which he belongs.

Mr. HARDWICK. I think it is an unfortunate fact.

Mr. WORKS. I want to ask the Senator whether he understood that these suggestions about bringing on certain legislation were made in the capacity of President of the United States or in the capacity of leader of the Democratic Party?

Mr. HARDWICK. I will answer the Senator very frankly. My understanding—I did not talk to the President about this last matter—but my understanding in a way is that the suggestion was made by the President as the party leader and advised in a party way.

Mr. WORKS. Would not the Senator regard it as an impropriety for the President to urge any action on the part of the Senate as President of the United States?

Mr. HARDWICK. Except in a message to Congress in the way pointed out by the Constitution.

Mr. WORKS. I agree with the Senator very heartily in that statement.

But, Mr. President, this only makes the matter worse. It puts the President in the humiliating attitude of lobbying as a private individual to secure the passage of important legislation affecting the public interests as the head of a political party for political reasons and political advantage, himself then being a candidate, hoping to be benefited by the legislation he was seeking if enacted. A little further along I shall give attention to the leader of a political party, at the same time the Chief Magistrate of the Nation, two entirely inconsistent positions.

WATER-POWER AND LEASING LEGISLATION.

Most strenuous and determined efforts were made by the administration, and especially by two of the executive departments, to secure legislation authorizing the leasing of public lands in general and particularly of power sites. The people have been made to believe that the Federal Government is the owner not only of lands on the streams within the States, but of the waters of the streams from and by which water power may be developed, and under that pretense or false assumption it was proposed to confer upon the Government the power to regulate and control the use of the waters of such streams and the power to be developed thereby. In fact, the Government has no ownership of the water in streams flowing within the States or right to regulate, control, or limit its use. But bills were formulated, not in Congress or by Members of it, but by representatives of the executive department, the effect of which would be not only to invade the rights of the States, but to change the whole policy of the Government in dealing with the public domain. The bills were made administration measures. They were pressed upon Congress as such. The Interior Department urged and labored for their enactment. Long and exhaustive hearings were had on them by committees of both Houses. At all of these hearings one or more representatives of the Interior Department were constantly present, attempting to carry out the policy of the President and shape and fashion the bills to suit his ideas. The President was advised with by Democratic members of the committees from time to time to ascertain what would be satisfactory to him. His aid was sought and given to secure the passage of such legislation as he desired. The bills as they were framed and insisted upon by

the executive department were made a part of the administration program to which I shall refer a little later on. The bills recommended and pressed upon Congress in this unwarranted way were not satisfactory to a majority of the Committee on Public Lands of the Senate, and I am glad to say that some of the Democratic members of the committee, notwithstanding Executive influence and party pressure, stood out against the bills to the end, even after they had been radically changed in committee. This was one of the worst and most inexcusable cases of Executive interference with and attempt to control legislation by Congress that has come to my notice. The part taken by the several executive departments to influence and bring about or defeat legislation I shall consider separately further along.

EIGHT-HOUR LEGISLATION AND ARBITRATION.

The latest case of usurpation of power and unwarranted dictation by the President was brought about by the threatened strike of railroad employees for an eight-hour day and extra pay for additional hours of labor. The President, without the slightest constitutional or legal authority, undertook to force a settlement of the controversy on terms arbitrarily fixed by him and without investigation or knowledge of the facts or the effect of the concession attempted to be forced on the railroads by him. Having failed in his purpose, he brought to bear all the power and influence of his great office to coerce Congress to do by hasty and ill-advised legislation what he was unable to do through the powerful influence of his exalted official position as President of the United States. To make the matter worse, it was thoroughly understood that the result of the efforts to avoid a strike would have a powerful and widespread influence upon the coming election of President and the then occupant of the office, who was a candidate for reelection. So we had the Chief Magistrate of the Nation assuming, without any right or authority, to force action in his own interest as a candidate for office and the support of his views and his efforts by Democratic Members of Congress tempted by like considerations in the interest of their party and their own candidacy for reelection. How far, if at all, the President and members of his party were influenced by partisan and self-seeking motives in their efforts to avert the strike no one can tell. The temptation was great. The action taken might mean the success or defeat of their party at the coming election. But, sir, the Chief Magistrate of this great Nation and its lawmakers should so conduct themselves in office as to be above the taint of suspicion of their motives. The President was not called upon to act in a matter in which he was personally interested. He should not have done so any more than a judge should sit to try a case in which his own personal interests are involved. As for Congress, it probably had the right to deal with the question by way of legislation, but it is most unfortunate that in a matter of such grave consequence it should apparently have been driven to act without hearing or investigation and practically without knowledge. To deal with the subject in this way was made more unfortunate because of the fact that the vital question of arbitration of labor disputes was involved and the principle of arbitration for the time being repudiated by the lawmaking power of the Government. Taking it all in all, the action taken by both the President and by Congress was most deplorable. The whole situation was properly characterized in the following statement of the New York Times:

The blackmailing of the whole Nation under the threat of a strike and the extortion from a nation's legislature of a special act granting the demands of the brotherhoods without time to inquire into its justice or its practicability put upon the country an intolerable humiliation. It reduces 100,000,000 people to a condition of vassalage, no longer permitted to make laws that freely express their will, but held up, as the highwayman's victim is held up, and forced to instant compliance with the terms imposed upon them by the leaders of organizations comprising only 400,000 of their number. But there is no other instance where a Congress of the United States has been forced to make laws under threat of a small part of the people to do immeasurable and irreparable injury to the others. If such an outrage can be put upon us unresisted, we have lost our republican form of government.

And the Chicago Tribune very well says:

The spectacle of an organized minority, backed by the President of the United States, choking Congress into surrender is the most sinister and alarming since the rebellion of the South. It ought to stir the Nation, and we believe it will. If Congress is ready to throw up its prerogative, the American people are not ready to surrender their birthright, and legislation under duress of organized force is the worst of surrenders.

The small minority of labor which is thrusting this humiliation upon the weakness of politicians is doing the cause of labor an injury it will suffer from for many a day. No foreseeing friend of labor will approve it.

APPOINTMENT TO OFFICE.

The unwarranted and unconstitutional interference by the President with the prerogatives of Congress, and attempts to control and coerce action by it, has not been confined to legis-

lative action, but has extended to executive action of the Senate in the confirmation of nominations to office. When the President has made a nomination to office his whole duty has been performed and his power exhausted. Any attempt on his part to influence the Senate, or any Member of it, to act favorably upon the appointment is an offense against both the Constitution and the Senate. But this has been no restraint on the President. Two conspicuous instances of Executive usurpation in this respect may be given. One was the nomination of a member of the Reserve Board under the new banking and currency law, the other of a Justice of the Supreme Court of the United States. The first was rejected by the Senate after a bitter contest; the other was confirmed. This was done, I am convinced, over the conscientious convictions of a majority of both the Judiciary Committee and the Senate. The opposition on the Democratic side of the Chamber was overcome, in part, by the strenuous efforts and powerful influence of the executive department, including the President and members of his cabinet, and Senators who had theretofore stood courageously for their convictions succumbed to them in this instance, thereby making the confirmation possible. It was a shocking example of the unwarranted influence of one department of government over another. When men can be elevated to the exalted position of Justice of the Supreme Court of the United States by such methods and through such influences, we may well tremble for the future of our country.

I have only given these two cases as examples of the way things have been conducted of late. There are many others of less importance, but involving the same principle, that might be mentioned. The effort to support the President's nominations to office, when needed, by personal influence, has been habitual and often persistent and offensive.

ADMINISTRATIVE PROGRAM OF LEGISLATION.

Another of the disquieting innovations of the present administration has been the laying down for the Congress by the President of a program of legislation composed of bills selected by him, which are expected to take precedence over bills introduced and advocated by Members of Congress. This has been practiced and submitted to by Congress to an alarming degree. It is an unwarranted interference with and regulation of the business of Congress by the Executive. It enables him to procure the passage of bills of his dictation to the exclusion of other bills without regard to their comparative merits. It has brought about the passage of some bills and the defeat of others. It is a regulation of its business by the President that Congress should not allow. At the last session, to say nothing of other legislation, it defeated the immigration bill favored by an overwhelming majority of Congress and demanded by the people of the country, and secured the passage of the child-labor bill, affecting a very limited number of people and of much less public interest.

OUR RELATIONS WITH MEXICO.

Nothing could more clearly show the enormous powers of the President and his control over the destinies of the Government than has our, or his, dealings with the Republic of Mexico for the past few years. The President has, practically without limit, controlled our affairs and fixed our relations with that country. Twice in the last three years have we gone to war with Mexico by Executive action and without the sanction of Congress, which alone has power to declare war—once when we bombarded Vera Cruz without adequate cause or provocation and took possession of and held that city for months by military force, and again when later we invaded that country with a force of something like 15,000 men, held and occupied Mexican territory, and slaughtered Mexican citizens in actual warfare. In the first instance we professed to invade Mexico for the sole purpose of compelling a salute to our flag that it was claimed had been insulted, and in the other that our invasion of the territory of a country with which we were at peace was for punitive purposes only and intended to bring to justice Villa and other outlaws who had invaded our own territory; and murdered some of our citizens. As to the first of these, it has been publicly proclaimed by a member of the President's Cabinet that the purpose alleged at the time was a mere pretense, and that the real object of the invasion was to oust the then President of Mexico from office and power, which was an act of war upon a feeble and distracted sister Republic. The other was no less a false pretense. No such Army as we sent into Mexico was necessary for the alleged purpose of our invasion of that country. There were other undisclosed reasons for that military invasion of a foreign country which, as in the case of the forcible taking of Vera Cruz, will in time be made known. It was probably done to prevent action by Congress providing for intervention in Mexico and the establishment for the unfortunate people of

that country of a stable form of government, and at the same time for the protection of the lives and property of our own citizens resident there.

In addition to this course, presumably as Commander in Chief of the Army and Navy, the President, in his civil capacity, has fixed and determined our relations with Mexico solely on his own responsibility. He has not only failed to ask or accept advice from Congress in dealing with the important problems affecting our relations with that country, and the lives and fortunes of American citizens residing there, but has used every means to prevent Congress from acting at all. He declined to recognize Huerta as President, who was the only pretender to that position who was selected therefor in the manner provided by the constitution of the country, and by the military invasion of the country, and by other means, drove him from power and banished him from his native country. He attempted at the same time to dictate to Mexico, as he has done to his own country, and control the elections to be held there, and making Huerta ineligible to election by the people of Mexico. He gave aid and comfort to Villa and Carranza, who were in actual and active rebellion against the constituted authority of their country, and to carry out his personal views and objects placed an embargo on the shipment of arms from this country to Mexico when it suited his aims and then removed it for the same reason. Having dethroned and banished Huerta by using this Nation for that purpose, and aiding and abetting parties in rebellion, when Carranza and Villa fell out he used all the powers of this country, short of actual intervention, to aid Villa, as great a scoundrel, murderer, bandit, and cutthroat as ever disgraced any country. He would undoubtedly have recognized him as head of the Government of Mexico had not Villa failed to develop the strength expected of him. Then, as Carranza, who was little if any better than Villa, looked to be the most available and likely man to control conditions, he recognized the former, who was without the shadow of legal or even moral claim to head the government, and appointed an ambassador to Mexico to represent this country at the court of Carranza, a mere pretender without the semblance of a government, and the United States Senate was weak enough to confirm the appointment.

The President has not only taken to himself all power and authority to deal with Mexico, but has ignored the constituted diplomatic representatives of this Government to that country, and sent there, without authority of law, "personal representatives of the President," not representatives of their country, and answerable to no governmental authority whatever. And it was through the advice of such personal representatives and not the regularly appointed diplomatic officers, but against their judgment and advice, that the President acted in that country as already pointed out and which has placed us, as a Nation, in a most humiliating position in the estimation of thinking and patriotic people in our own country and in the eyes of the whole civilized world. Twice has the President, without action on the part of Congress or any other legal authority, appointed commissioners to act with commissioners appointed by Carranza, who does not in any sense represent the Republic of Mexico or possess any authority to bind that country, to negotiate and settle our relations with Mexico. Nor has the President of the United States any more authority than has Carranza to appoint such a commission or to bind this country by any such negotiations.

The course of the President in Mexico has been one of arrogant and arbitrary, if not unlawful, exercise of power. He has taken no advice from any lawfully constituted power of his country except of his own selection and appointment and who were willing to submit to his arbitrary dictation. If he has acted within his power as Chief Magistrate of the country and, as such, as Commander in Chief of the Army and Navy, it shows as clearly as experience could demonstrate the enormous, uncontrolled, and dangerous power of the President. If not within his constitutional powers, then it shows with startling clearness the dangers of the usurpation of power by the executive branch of the Government that should excite the lively apprehension of the American people.

Mr. President, I have given some conspicuous examples of the aggressions of the Executive and his encroachments upon the legislative department of the Government. They are only a few out of many. Indeed, it seems to have become understood not only by the President but by altogether too many of the people that the President is in every sense the head of the Government and that Congress and the courts are his subordinates and subject to his will and command. It is one of the worst features of the present unfortunate situation that this feeling should prevail throughout the country. Lamentable as

it is, however, it is an undoubted fact. Many people seem to feel the greatest satisfaction at the domination of the President over Congress and his efforts to drive it to do his bidding.

Having said this much about the dangers and evil effects of usurpation of power by the President of the United States, let me call the attention of the Senate and the country to some other of the evils that threaten the perpetuity of our free institutions.

DEPARTMENT OF BUREAUCRATIC INTERFERENCE WITH LEGISLATION.

The endeavor to usurp and control the legislative functions of Congress is not by any means confined to the head of the executive department. The extent to which legislation is formulated and pushed through Congress and proposed legislation defeated through the activity and influence of the different executive departments is a standing reproach upon Congress. It has become the unfortunate and inexcusable custom of committees of both Houses to refer bills indiscriminately to the departments, not for any facts and information that the committees may need but for the judgment of the department as to the merits of the bill and an opinion as to whether it should be enacted into law. In this way the executive branch of the Government is, without warrant of law, made a strong, often controlling, influence in legislation.

An unfortunate Member of Congress who has upon his own judgment and responsibility introduced what he believes to be a meritorious bill often sees it defeated for the sole reason that, not the head of the department necessarily, but some head of a bureau or other subordinate executive employee has declared against it, and the next day that same Member may be unwise enough to attempt to secure the passage of another bill by calling attention to the fact that it has the approval of the department. The Member who appeals to such outside influence to secure the passage of any bill is entitled to no sympathy if other of his bills are defeated through the same illegitimate influences. But, even this, humiliating as it is, is not the worst of this situation. Committees which should be responsible for all bills reported favorably or adversely, in this convenient way shove that responsibility off on an irresponsible executive employee and report them with little consideration of their own, upon the favorable or unfavorable edict of this irresponsible and illegitimate authority. Very naturally, therefore, the report of a committee of this body is not considered sufficient upon which to act. It is a common thing, when a bill comes on for hearing on a favorable report of a committee, to hear a Senator inquire whether it has been approved by the department or not. If the answer is in the affirmative that is usually taken as entirely satisfactory and such bills, with very few exceptions, pass without question on that mere assurance. As a natural consequence United States Senators appeal to department or bureau heads and use their influence with them to induce them to approve their bills. It is a beautiful spectacle, is it not? Can anyone wonder that under such circumstances the people of the country are losing confidence in and respect for their Congress? Do Senators think that the American people, or the Congress itself, realize to what extent we have already become a bureaucratic Government with the Congress the servant of the executive department and not of the people; or how rapidly we are tending toward an autocratic if not a despotic Government?

This executive-department influence and control over legislation is only one evidence of our tendency toward national weakness and degeneracy, but it is a very serious one that should command public attention and speedy correction. The Congress of the United States should do its own legislating, independently, and be alone responsible for it. To refer legislation directly or indirectly to any other officer or body except for information is to abandon its functions and prerogatives and neglect its duties.

THE SECRET CAUCUS.

One of the worst of these evils is the secret caucus, the object and effect of which is to bind the will and fetter the freedom of action of members of a legislative body against their own conscientious convictions, and not infrequently in opposition to the wish and desire of their constituents. It is of the most vital importance that every lawmaker should be absolutely free and independent in his course and in his action upon any and every measure that may come before Congress, and that he shall have the moral courage to stand firmly for his own convictions subject only to accountability to his constituents for whatever he may do. The secret caucus destroys this independence and freedom of action and compels a Member of Congress to do not what his own judgment and conviction commends to him but what a majority of his colleagues may

dictate. The whole system by which Members of Congress are subjected to such dictation by their associates is vicious, un-American, and unpatriotic. It is amazing that in this enlightened age, and in a free Republic like ours, any political party should resort to such an instrument to secure legislation. Of course, such a system is intended to enact laws by a minority as resort to it is wholly unnecessary to secure favorable action on any measure when the majority of the legislative body is for it.

Mr. President, to my mind the most dangerous feature of the secret caucus is its powerful aid and assistance to the usurpation of power by the President. This has been conspicuously evident for the past four years. Whenever a bill was announced as an administration measure, or that the President particularly desired its passage, and a majority was believed to be opposed to it, a binding caucus was resorted to to bind all Democrats to its support, thus coercing enough Members of the majority conscientiously opposed to the measure to secure its passage. First came the powerful presidential influence, exercised in violation of the letter and spirit of the Constitution and the sacred principles of free popular government, and then the caucus that made his will supreme and binding on the consciences of the Members who were of his party. This unpatriotic means of coercing action by Congress can not be too strongly condemned. To hold such a caucus should be made a criminal offense and be severely punished, if the good sense and loyalty of Members of Congress are not sufficient to put an end voluntarily to a practice so clearly detrimental to the public interest.

INDIFFERENCE TO OFFICIAL DUTY AND OBLIGATIONS.

Mr. President, not the least of the dangerous tendencies of the times is the indifference to their duties and the obligations of their oaths of office on the part of the official representatives of the people. I need not go outside of this Chamber for striking illustrations of this tendency. This is sometimes denominated the greatest deliberative body in the world, and it should be so. It is one branch of the lawmaking power of a Nation of over a hundred millions of people. The destiny of this great Republic rests in its hands. No greater responsibility could be imposed upon any body of men. It calls for industry, integrity, and constant vigilance. And yet, sir, Members of this body absent themselves from their places here for days, weeks sometimes, and even for months without leave, and for no valid reason, and continue to draw the salary they do not earn, although there is a direct statutory provision that a Senator who absents himself without leave of the Senate shall forfeit his salary for the time of his absence. Again, the indifference of Senators to the proceedings of the Senate when not absent from the Capitol and nominally on duty is worthy of remark. Speeches are made here time after time on important, sometimes vital, questions to empty seats while Senators are enjoying themselves in the adjoining cloakrooms or otherwise engaged. I remember one occasion during the last session when I came into the Chamber and a Senator was delivering an address on an important measure. He had an audience in the Chamber of just five persons, the Vice President and four Senators, but no listeners. The Vice President was reading a newspaper with apparent interest and seemed to be totally oblivious to what was going on, and the four Senators present were engaged in private conversation and paying no attention whatever to what was being said by the Senator having the floor. This was not so extreme a case as might be supposed. It is not at all an unusual thing for a Senator to be addressing less than 10 Senators and receiving attention from none. What must the visitors in the galleries think of the great United States Senate that they have read about when they look down from the galleries upon such a scene? What would the American people think about it if they knew that the affairs of their country were being conducted or neglected in that way? What respect for and obedience to the laws have we a right to expect from a people whose laws are being made in that way by their representatives? We are all amenable to criticism on this ground. None of us have done our whole duty in this respect. No single Senator can point to his associates and say, "You did it, and I did not. You are responsible for this unfortunate condition and I am not." There are different degrees of neglect in this particular, but all are more or less guilty of the offense.

Mr. President, let me call attention to one other example or illustration of a want of attention of Senators to the proceedings of the Senate relating to questions upon which sooner or later they know they will be called upon to act. It is in the matter of hearings, investigations, and reports of committees. Many such hearings are held and reports made by committees of the Senate for the information and guidance of its Members. I

have every reason to believe that such reports are very rarely even read by most of the Members of this body, and the evidence taken at the hearings even more rarely. I have one striking case of this kind in mind. At the session before the last a joint special committee of the two Houses was appointed to investigate and report upon the fiscal relations of the Government and the District of Columbia, that had been matter of dispute ever since I have been in the Senate. The committee spent two months in the hearing and investigation of this important matter. Afterwards, at the last session, the same matter again came up for consideration, and in the course of the debate upon it, when there was a large number of Senators present, I requested all who had read the report and hearings to make it known, and there were just five Members of this body who had read the reports, of which there were two, or parts of them, and none had read the hearings, and maybe one or two had read parts of the evidence taken. And, worst of all, members of the regular committee of the Senate who were called upon to report upon the bill involving the question submitted to the special committee for hearing and report had not read the hearings or the reports nor given them any attention.

Mr. President, I have only given instances of this indifference to duty on the part of the Senate. It is a common occurrence. Hundreds of like cases could be cited. These are melancholy confessions for a Member of this body to make, but I am dealing frankly with the weaknesses in the administration of the affairs of the Government, and this is one of them of no small consequence with which I, as a Member of this body, am personally familiar, and which I could not, if I desired to do so, consistently or fairly overlook. I hope it may soon be remedied, for the credit of the United States Senate and its Members and in the interests of the country. What I have said about the Senate will be found to prevail in greater or less degree in all branches of the Government.

UNDESIRABLE IMMIGRATION.

Mr. President, another of the degenerating tendencies downward is the admission into this country of millions of ignorant, criminal, and otherwise undesirable subjects of foreign nations. In some sections of the country these foreigners, many of whom do not speak our language, have become a dangerous and dominating force. They are admitted to citizenship with an alarming indifference to consequences, and their votes are coveted by politicians and candidates for office. They know and care but little about the laws and institutions of the country. Under the guidance and influence of designing labor organization leaders they become the backbone of labor strikes and are the first to resort to force and violence to make strikes successful. Thus they become the instruments and the victims of dangerous labor agitators. They have already come in such numbers as to make them a potent force in politics and are courted accordingly. This has gone further than any other consideration to prevent the enactment of such immigration laws as will effectively exclude them from entry into this country. Lawmakers are afraid of the naturalized labor vote.

Mr. President, this foreign element that has come into the country in swarms has become a dangerous and degenerating force that has reduced the standard of citizenship and undermined that respect for law and order which is so necessary to the preservation of a republican form of government. Violence and lawlessness resorted to as a means of redress of wrongs, or alleged denial of rights, lead inevitably to more arbitrary laws and centralization of government in the interest of one class as against another. A resort to force by the lower and more ignorant of our citizenry is an incentive to the building up of an aristocracy, an arbitrary form of government, and ultimately a despotism. This is a feature of present-day conditions that calls for most careful and patriotic consideration and a speedy remedy. And I maintain that the only effective remedy is the entire exclusion of such immigrants, I might say all immigrants of the laboring class at least, until we have assimilated and elevated to respectable and law-abiding citizens the enormous number that has already been admitted. The duty is imperative and should not be neglected or delayed.

This tendency toward degeneracy is not alone the fault of the immigrants. Native-born Americans, instead of raising the foreign element to what should be the American standard of living, too often allow the whole community of which the immigrant has become a considerable part to sink to the level of the lower foreign standard. They do not assimilate but isolate the foreign element in most of the cities and towns, thus building up foreign cities within what should be wholly American cities governed by American standards of living. When we add to this the fact that the foreign sections are as a rule inadequately supplied with facilities for healthful and sanitary living, such as a sufficient water supply, facilities for collection

of garbage, sanitary homes, and other things necessary for right standards of living, we can not ascribe all of the deplorable conditions that exist to the immigrant class. They are too often made the victims of the greed and avarice of the land-owners and the indifference and false economy of municipal bodies, from which the whole community suffers. Instead of elevating the immigrant to the American standard of living, we accept his own and leave him to believe that it is our standard. Thus we make conditions worse, instead of better, for all parties concerned.

It is the American as well as the unfortunate immigrant who needs to be regenerated and his standard of living elevated. We are being assimilated, instead of assimilating our foreign residents.

ONE TERM FOR THE PRESIDENT—LEADER OF HIS PARTY.

Mr. President, one of the weaknesses of the Constitution itself is that it permits the President to be a candidate for reelection during his term of office. Coupled with the present-day doctrine that when elected he becomes the head and leader of his party, his candidacy for a second term becomes more than ever objectionable and offensive. Indeed, as I have already pointed out, the unwarranted lengths to which the present Executive has gone in dictating and controlling legislation has been excused on the ground that in doing so he was not acting as President, but as the leader of his party. The idea that the President of the United States, or for that matter any executive officer, shall or may become the leader of any political party is, to my mind, obnoxious to every sense of propriety or decency, to say nothing of his spending his time in the service of a political party that should be devoted to the service of the general public. A man elected to the office of President of the United States should be the servant of the whole people, and not of those of one political faith. He should not be a political partisan. During the last Congress I introduced a resolution amending the Constitution in such way as to limit the service of the President to one term of six years. The Democratic Party in its platform, under which the present occupant of the White House was elected, declared in favor of a single term. In support of my proposed amendment I addressed the Senate, and in pointing out what I conceived to be some of the evil effects of allowing the President to have a second term, I had this to say, amongst other things:

The effort to elect a President to a second term is a prolific source of political corruption, neglect of official duty, and betrayal of trust on the part of public servants. It is degrading to the President himself, and brings his great office into disrespect, often contempt. The President has come to be regarded as the head of his party, not as a candidate only but as President, and not as the head of the Nation. It is a most pernicious doctrine. He has the power of appointment of thousands of Federal officers in every part of the country. Practically, in making these appointments he acts as the head of his party and not as President. If he is reelected, the appointees may reasonably expect to retain their offices. A large part of his time that should be devoted to the public service is given over to politics and the effort to secure his reelection. He is regarded by his appointees as their political chief, to whom they owe allegiance because he appointed them. They are tempted to serve him rather than the country. He expects every man he appoints to support his political aspirations. To fail is to be treacherous and ungrateful. They so regard it, and so does he. The White House is turned into the headquarters of a political party, where a press bureau is maintained in the interest of the political chief and leader of his party who is for the time being the President of the United States. The members of his Cabinet become his political advisers. In this they are not serving their country, but the seeker after a second term. The appointees in the immediate service of the President become his political aids and devote much of their time, paid for by the Government, to his service as political leader and candidate for reelection. It is a vicious system that can not be denounced too strongly or too often. The people of a free Republic should not submit to it for a day. Every lover of his country should speak out against it and support any measure intended and reasonably calculated to put an end to it. If a President were limited to one term, and rendered ineligible to a second election, there would be no incentive or temptation to appoint men to office with a view to their support of him as a candidate for a second term. He would need no political army. As a political leader he would be useless. He would have no motive or desire other than to do his duty as President and make for himself an honorable record as a public official.

This amendment to limit the President to one term was passed by the Senate by a vote of 47 to 23, a majority of more than two-thirds. Of the votes in favor of the amendment, 27 were Democratic votes and 19 Republican. There would have been a still larger vote for the amendment but for differences as to the form of the amendment involving the respective rights of the Federal Government and the States to regulate and control the elections. On the single question of confining the service of the President to a single term the Senate was then, and I believe is now, overwhelmingly in favor of such limitation.

I can add but little to what I said on the occasion to which I have referred. But, sir, subsequent events have confirmed my convictions on the subject and demonstrated the wisdom of making it impossible for any man to be a candidate a second time for this great office which has been degraded in the past

four years more than I can tell by the exhibition of partisan politics in the White House and the excesses to which the President has gone in the effort to serve his party and secure his own reelection. While repudiating his party platform declaring in favor of a single term, and defying the sentiment of his party as evidenced by the decisive vote of Democratic Senators in support of the proposed amendment, he has, by his own conduct, given the country a convincing object lesson of the evils of a second term that should insure the adoption of such an amendment in the near future. It is a remarkable fact that of the 23 votes cast against the amendment confining the President to one term only 2 were Democratic votes. So the present incumbent of the office became a candidate for a second term when the platform under which he was elected the first time declared against it and after the representatives of his party in the United States Senate had voted 27 to 2 in favor of a single term. Comment on such a situation would seem to be unnecessary. The Democratic plank of the platform of 1912 was as follows:

We favor a single presidential term, and to that end urge the adoption of an amendment to the Constitution making the President of the United States ineligible for reelection, and we pledge the candidate of this convention to this principle.

It will be seen that the President's party not only declared in favor of a single term but pledged the candidate of the convention to that principle. To be a candidate for a second term under such circumstances was not only to violate the pledge of his party by which he should have held himself bound but was undoubtedly in opposition to the sentiment of a large majority of the people of the country. The President, as a candidate, made no objection to this pledge binding both him and his party to a single term, but accepted it and had the benefit of this platform declaration, knowing that it was popular and would make him votes. But almost immediately after his election and before he came into office he repudiated it, in express and unqualified terms, in a letter written by him to Hon. A. Mitchell Palmer, then a Member of the House of Representatives, in which he said:

A fixed constitutional limitation to a single term of office is highly arbitrary and unsatisfactory from every point of view. I believe that we should fatally embarrass ourselves if we made the constitutional change proposed.

It is a significant fact worthy of notice that this commendable pledge in favor of a single presidential term was carefully omitted from the Democratic platform of 1916, which, it is generally understood, was written by the President himself, and that no further effort to adopt the proposed amendment was made.

Hon. Hannis Taylor, who has had large experience in public life, who has represented his Government as ambassador to Spain, and is a lifelong Democrat, in a letter to the national business men's Republican committee of New York, of date September 5, 1916, justly characterized the course of the President when he says:

Did he strive to secure the adoption of the amendment, or did he deliberately and actively intrigue to defeat it? Let the answer to that question come from his able and experienced advocate and apologist, Mr. George Harvey, who in attempting to make a case for him in the North American Review for February, 1916, made instead admissions that render all future attempts to defend him hopeless. Mr. Harvey said: "But after the election of Mr. Wilson upon a platform pledging the candidate to 'the principle' avowed, the proposition was revived in the Senate, and on February 1, 1913, it was adopted by that body, 17 anti-Roosevelt Republicans voting affirmatively and only 1 Democrat—Mr. Shively, of Indiana—voting in the negative. The sentiment of the House was overwhelmingly in favor of the resolution, but the Democratic leaders, feeling that their newly elected President was entitled to consultation upon a matter of so much importance and having no late information respecting his attitude, deferred action until his views could be ascertained. * * * Meanwhile the President elect intervened in the letter to Mr. A. Mitchell Palmer, dated February 12, which was duly exhibited to Chairman Clayton and other prominent Representatives, who promptly bowed to the wish of their new leader and buried the resolution."

"For more than 30 years I have made a special study of our complex American Constitution; for the last 14 years I have lived at Washington, where I have watched its practical workings day by day, just as a machinist might watch the movements of a Corliss engine. In the light of that study and experience I do not hesitate to say that, in my humble judgment, the greatest defect in our National Constitution, that brings more evils to the people than all others combined, is represented by the lack of that amendment prohibiting a second term which Mr. Wilson's selfish ambition has for the moment defeated. His almost insane desire to succeed himself has deprived him of the power to be really useful at a critical moment in our history. His ceaseless pursuit of that will-o'-the-wisp, called a second term, has led him into all kinds of bogs and morasses; it has entangled him in hopeless inconsistencies; it has put him on both sides of nearly every public question; it has forced him to do things no other public man would have dared to do. The typical illustration, of course, is his sudden and violent change of front as to the exemption of American vessels from tolls in a canal built by American brains and American money through American territory."

And to show that the President was fully committed to the one-term plank of his party Mr. Taylor makes the following

quotations from Mr. Bryan, then the accredited representative of the President as a candidate:

At a great meeting held at Indianapolis on October 17, 1912, Mr. Bryan said:

"We present him [Mr. Wilson] not only qualified in every way but we present him pledged to a single term, that he may be your President and spend no time dividing patronage in order to secure delegates; that he need spend no time in planning for reelection; that he may give you all his thought and all his heart and all his energy. I believe that when a man is lifted by his countrymen to this pinnacle of power he ought to tear from his heart every thought of ambition and on his bended knees consecrate his term to his country's service. That is our ideal President, and we present to you a man who measures up to that ideal."

William Henry Harrison, President of the United States, saw the effects of this evil, and in his inaugural address, delivered as far back as 1841, condemned it in unmeasured terms.

PATRONAGE—POLITICAL SUBSERVENCY IN LEGISLATION.

The effect of patronage or appointments to office by the President is touched upon by President Harrison in his inaugural address to which I have already referred. He says, in part:

To a casual observer our system presents no appearance of discord between the different members which compose it. Even the addition of many new ones has produced no jarring. They move in their respective orbits in perfect harmony with the central head and with each other. But there is still an undercurrent at work by which, if not seasonably checked, the worst apprehensions of our anti-Federal patriots will be realized, and not only will the State authorities be overshadowed by the great increase of power in the executive department of the General Government but the character of that Government, if not its designation, be essentially and radically changed. This state of things has been in part effected by causes inherent in the Constitution and in part by the never-failing tendency of political power to increase itself. By making the President the sole distributor of all the patronage of the Government the framers of the Constitution do not appear to have anticipated at how short a period it would become a formidable instrument to control the free operations of the State government. Of trifling importance at first, it had early in Mr. Jefferson's administration become so powerful as to create great alarm in the mind of that patriot from the potent influence it might exert in controlling the freedom of the elective franchise. If such could have then been the effects of its influence, how much greater must be the danger at this time, quadrupled in amount as it certainly is and more completely under the control of the Executive will than their construction of their powers allowed or the forbearing characters of all the early Presidents permitted them to make.

The undercurrent to which this distinguished citizen refers has not been checked. On the contrary, it has grown in volume and has become a most powerful means of extending and making effective the growing usurpation of power by the President. One can not but wonder what President Harrison could or would have done to remedy this great and growing evil influence and others mentioned and condemned in his inaugural address if he had been spared to serve out his term. Would he have made good his pledge not to be a candidate for a second term, or would he have succumbed to the temptation of further personal ambition and violated that pledge as the present occupant of the White House has violated both his own and his party's pledge? As his term of service was cut short by death within a few days after his inauguration, we can only speculate as to what would have been his future course.

Mr. President, my opposition to the present system of dispensing patronage is not founded alone upon the ground that it unduly increases the power of the President, which is reason enough to condemn it. Worse than this is its demoralizing effect upon the lawmaking branch of the Government. One of the, to me, unaccountable weaknesses of human nature is that the Members of Congress regard the privilege of recommending appointments to office from their States as of value to them personally and politically. It is this singular desire to control appointments to office that makes the appointing power of the President so powerful, so dangerous, and so degrading in its effects. We all know that this weapon, in the hands of the Executive, has been used in times past, sometimes mercilessly, to coerce Members of Congress to bow to his will; and, worse than all, we know that it has been used effectively for that purpose. It is a humiliating fact, but that it is a fact no well-informed man will dispute. It is not only the threat of the President to ignore Members of Congress in making appointments or refusal to accede to their claim of right under custom to name the appointees in their States that brings results. It is the knowledge that the President has the power to appoint against their wishes and recommendation that terrifies some timid Members of Congress into submission to Executive demands. The whole system as now practiced is corrupting and degrading to both the legislative and executive departments of the Government.

At the last Congress I introduced a bill providing for the appointment by the President, at the beginning of his term of office, of a commission to receive and consider all applications and recommendations for appointments to office and report to the President for appointment the best fitted of the applicants for each office and forbidding any Member of Congress or of the

President's Cabinet applying for or recommending the appointment of anyone.

The chief object of the bill was to remove from the Halls of Congress the temptations and evil effects of the patronage system. But, at the same time, it would have saved the President the enormous and thankless burden of considering thousands of applications for appointments and in great measure have removed from him both the temptation and the opportunity to use the powers of appointment for coercive or other ulterior purposes. One would have supposed that every Member of this body would have welcomed the opportunity of relieving himself from the burdens and evil effects of patronage, but the bill introduced by me was referred to the Committee on Privileges and Elections of the Senate and by that committee reported adversely without even giving me the opportunity of a hearing upon it. The system of patronage now prevailing, the creature of custom and not of law, is one of the most pernicious, degrading, corrupting, and dangerous evils of the many that are now eating at the vitals of our free institutions. It is one of the most potent causes of political and official subservience to Executive power and coercion, and serves as much, perhaps, as any other cause to destroy the independence and usefulness of the legislative branch of the Government and to bring it into general disrepute and contempt. It is something with which no Member of Congress should be allowed to have anything to do. The power of appointment is vested by the Constitution in the President. He has no right to barter it away to Members of Congress. When he does it is too apt to be, and generally is, for a consideration. It is extended as a favor and for this favor the Member of Congress to whom it is extended is expected to support and carry out the wishes of the President.

My views on this subject will be found more fully stated in an extract from the speech delivered by me on "One year of Democratic rule," already quoted. I need not repeat. It is a subject about which I feel very strongly. I hope the time will soon come when this body will free itself forever from the unfortunate and corrupting influences of the present system of selecting men for office.

USE OF MONEY IN ELECTIONS.

The means by which men secure their election to office may generally be taken as a fair indication of what their standard of official life and duty will be if they succeed. One of the crying evils of present-day politics is the use of inordinately large sums of money in the elections of all officers from the President of the United States down. Money, rightly used, is a good thing if one or a few men do not have too much of it, but in politics and elections it is a corrupting and demoralizing influence. Much of the large sums of money expended in this way is not used directly for the corruption of voters, but a great deal of it is used in such way as to be deceptive, misleading, and a fraud on the voters. Perhaps the greater part of the money expended in political campaigns is for what is politely termed publicity.

Enormous sums are spent in this way by committees and individual candidates. Newspapers, some of them so-called leading newspapers of the country, are subsidized, purchased for money, to say things favorable to parties and candidates that they would not say of their own free will, and things which they themselves do not believe. Commendations of this kind, paid for by a candidate, go out to the public as the real sentiments of the newspaper, magazine, or other publication, thus deceiving the voters who may rely upon what their newspapers say. This is not only dishonest on the part of both the newspaper and the candidate, but is a fraud upon the voter. No candidate who has a due appreciation of the sacredness of the franchise in a government of the people or of the duties of a public official will ever resort to subsidized newspaper publicity to secure an election to any office, high or low. But the fraudulent and misleading character of this method of getting votes is not its only objectionable feature. It has, most unfortunately, become generally understood that a man can not be elected a member of this body without the expenditure of large sums of money. While this is not wholly true, and many Senators are elected with but little expense and that entirely legitimate, it is altogether too true that many others are elected by that very means and, generally speaking, they are men who should never be elected to any high office of trust and great responsibility. I was informed by one who knew, and upon whom I could rely, that one of the candidates for United States Senator in my State at the last election sought to secure the services of a publicity man, so called, of experience in that kind of work, to conduct that particular part of his campaign. He was told that to conduct such a campaign would cost not less than \$25,000 and that the man who was asked to undertake it would not do so until that sum was placed in his hands. At the next

previous election I witnessed the humiliating spectacle of candidates for the Senate being advertised, their virtues exploited in the newspapers for pay, and their pictures, large and loud, plastered on billboards, barns, and fences throughout the State with accompanying self-praise and commendation. One candidate went to the vulgar extreme of advertising himself by revolving electric signs blazoning his candidacy and his qualifications to his admiring political friends. I was informed by one of his political friends and his supporter that the campaign of this candidate cost him not less than \$300,000.

Mr. President, no man who will or has resorted to such methods to secure his election is fit to be a Member of this body. He is no true American. He is lacking in the moral sense that high public position demands. He has no conception or appreciation of American citizenship or the duties and responsibilities of this great office. Of course, he could not spend this sum of money openly and in his own name. If he did, it would bring him within the terms of the corrupt-practices act. I have never seen the affidavit of expenditures made by the candidate to whom I have referred, but I have no doubt it showed an expenditure within the limitation fixed by law. Indeed, the corrupt-practices act seems to be more a premium for perjury than anything else.

Mr. President, these questionable and illegitimate, not to say unlawful, methods of securing elections to office are not confined to elections of United States Senators. They extend to all kinds of offices, even that of judges. That elections can be controlled and men elected to offices of trust and responsibility in this way is a distinct and dangerous menace to free government. It would be little worse to put up the offices for sale to the highest bidder without regard to his merits or his qualifications. In many instances the offices are now bought, practically and in effect.

Mr. President, this alarming and demoralizing evil is well known by all observing people and sincerely deplored by many. But so far public sentiment has not been strong enough to put an end to it. If all good people, who believe in honesty and decency in politics would set their faces against such practices and had the patriotism and moral courage to vote against any and every man who resorted to such methods, it would help to remedy the evil, but it would not always be effective, because, in many instances, both opposing candidates will be equally guilty and choice must be made between two men, both of whom should be defeated. If, again, candidates for office only had the moral courage, good sense, and patriotism to stand out against the temptation to spend money in such way to secure their election and refuse to be led by corrupt newspapers, the remedy would be effective. But it is at once said that if one does it the other must, and if one candidate is decent enough to stand on his own merits, without false and misleading publicity and other exploitation, he will be defeated and the indecent man with plenty of money will be elected by this vulgar and degrading brand of politics. And, sir, this is altogether too true in the main. The average voter does not appreciate the enormity of such campaigning. He rather likes it. If the candidate does not spend his money freely he is criticized and voted against for that very reason.

Then, sir, what is the remedy? How is this flagrant offense against the elective franchise to be prevented? In my opinion there is but one effective way, and that is to make it unlawful for a candidate to spend any money at all to secure his election, or anyone to pay it for him, except a fixed sum to be paid to the State or county, and for that payment the State or county should print and send out to each voter a statement of the qualifications and fitness of each candidate furnished by him within reasonable limits. This would put every candidate, rich or poor, on an equal footing and put an end to purchased newspaper and other illegitimate and misleading publicity. Of course the candidate should be allowed to pay his ordinary personal traveling expenses, if any, in making his campaign, and nothing more, to be itemized and reported under oath and subject to the pains and penalties of perjury. This may seem to be a drastic remedy, but this widespread evil is one that calls for drastic treatment; and it will not only serve to purify elections and protect the franchise but will be a protection and relief to candidates for office.

EXTRAVAGANCE IN APPROPRIATIONS—PORK-BARREL LEGISLATION.

Mr. President, another of the present-day growing evils tending toward national weakness, decay, and final dissolution is the enormous and extravagant expenditure of the people's money, much of it useless and much more of it unwarranted and illegitimate. The appropriations last year amounted to considerably more than a billion and a half dollars. A small portion of this amount, comparatively speaking, was appropriated for the increase of the Army and Navy, which, to my mind, was

an unnecessary expenditure, to say nothing worse of it; but leaving that out of the account the balance of the expenditure is an enormous sum to be paid for operating the Government. And when we take into account the sums of public money spent by the separate States for governmental purposes, the money it costs to operate and maintain the Government of the Union of States is nothing short of appalling.

But, Mr. President, if these expenditures on the part of the Government were necessary or even legitimate the people would have far less reason to complain of the heavy burden of taxes thus imposed upon them. Many of them are not. Millions of dollars are appropriated every year out of Government revenues that should be paid by the States. As I shall show more specifically further along, such appropriations are not only illegitimate but the making of them is gradually depriving the States of their independence and sovereignty and making them dependents upon the Federal Government, thus eliminating the division of sovereign power between the Government and the States. Besides, by this means, much of the work done is duplicated and paid for twice by the State and the Government.

In this connection it will not be out of place to say something about what has come to be called "pork-barrel legislation." It is not necessary to say much about it in this presence. The extent and the evils of it are too well known in this body to call for discussion, and one feels like holding his nose when he approaches the subject. It is a sordid, malodorous evil that has no excuse, much less justification. It is a rank injustice to the taxpayers of the country that has no excuse. It is found in its worst form in the river and harbor, Agricultural, and public buildings appropriation bills, but it abounds in other places and costs the people millions of dollars worse than uselessly expended.

Turning to what may properly be called legitimate but extravagant and unnecessary expenditures, the conditions are not much better. This tendency toward extravagant expenditures is not to be charged up against any one political party. It is a constantly growing evil and where it will end no one can tell. The Democratic Party very properly declared against it in its platform of 1912, in which it said:

We demand a return to that simplicity and economy which befits a Democratic Government and a reduction in the number of useless offices, the salaries of which drain the substance of the people.

Unfortunately this, like several other of its party pledges, was broken and the appropriations under this administration have gone far beyond that of any other since the formation of the Government.

Mr. President, I can not go into details in dealing with this question. It is unnecessary that I should, as the facts are well known to Members of this body, and I am taking up too much of the time of the Senate. But let me call attention to just one of the means of expending, yes, wasting, the public moneys. Take the example of creating commissions and investigating committees with large and increased salaries and heavy incidental expenses. Again I can not enter into details. Let me, however, quote briefly from a speech of Mr. GILLET in the House, delivered near the close of the last session of Congress. He said in part:

Applying their own standard and logic the session just closing far surpasses in extravagance any predecessor. The total appropriations of this one session amount to \$1,626,439,209.63. In addition the Executive is authorized to incur obligations for \$231,945,275.20, so that the whole amount of appropriations and obligations amounts to \$1,858,384,484.83.

The largest appropriations ever made in one session of a Republican Congress were \$1,044,401,857.12 for the fiscal year 1910. This session exceeds that by \$582,037,352.51.

According to the rule applied to us for 14 years by the Democrats, they have been extravagant far beyond all precedent. If we are extravagant, they have been profligate.

Last year the Democratic Party was extravagant according to their own standard. Yet the increase of the appropriation of money this year over last year is \$311,502,197.61. The increase in the appropriation in money and contracts authorized this year over last year is \$706,047,472.81.

If there be eliminated from consideration in each year the sums devoted to national defense, it leaves for the ordinary civil functions of the Government \$843,537,505.01 last year and \$940,729,386.54 this year, an increase of \$97,191,871.50, or 11½ per cent for a single year, and that at a time when we were compelled to make extraordinary expenditures for an emergency, and the most stringent economy was imperative for current expenses.

During the Sixty-third Congress, covering the first two years of President Wilson's administration, pledged by its platform to reduce offices, the salary roll of the Government was increased by 7,033 statutory places, with salaries aggregating annually \$7,769,585.12. This is the net increase. The gross increase was more than twice as large. And, in addition, lump-sum appropriations, used solely for the payment of employees, were increased \$9,756,142.60, the number of employees and the rates of compensation being discretionary with the

heads of departments. This would make the total net increase in number of offices at least 15,000. That payment out of lump sums is a system of employment which Congress for years had been endeavoring to diminish, because it engendered extravagance and favoritism. During the same period the net number of salaries increased reached 367, involving an annual increase of pay of \$65,416.33.

It is impossible to segregate yet the new places created in this session, but they will certainly far outnumber those created in the whole of the last Congress. From the best information I can get I estimate the whole number of new offices since the beginning of this administration at from 35,000 to 40,000.

Among the new places created were 5, at \$12,000 each; 6, at \$10,000 each; 2, at \$8,000 each; 1, at \$7,500; 1, at \$7,200; 7, at \$6,000 each; 4, at \$5,000 each; 3, at \$4,500 each; and 4, at \$4,000 each. At the present session by special enactment, 4 more, at \$10,000 each; 6, at \$7,500 each; 1, at \$5,000; and 3, at \$4,000 each, have been created, and the multitude of others created since last December. In annual appropriation acts, in lump sums, and otherwise, at salaries varying from the paltry sum of \$5,000 down, it will take time and research, after the session has closed, to determine—their number will run into the thousands.

One salary was increased from \$5,000 to \$12,000; 3, from \$12,000 to \$17,500 each; and 1, from \$7,000 to \$9,000.

In this speech, Mr. GILLET goes into particulars. To quote them would take up too much time and space. It is a revelation that should open the eyes of the American people to the perils of this fast-growing and consuming evil.

GROWING POWER OF MONEY.

The large increase of the wealth of the country accumulated in the hands of a few inordinately rich men and powerful corporations is a standing menace to popular government that is growing in power and force. I am afraid the people of this country have but little conception of the extent to which this threatening and powerful influence has assumed control of elections and legislation. It is a subtle power working under cover, but everywhere present when its interests are likely to be affected, and operating secretly wherever possible, and through able and skillful agents who know what their principals want. The control that these powerful influences have exercised over elections and the affairs of government has resulted in class divisions and class legislation most detrimental to a free republic. As I am trying to point out the evils that are confronting the country I refer to this most powerful and potent one only in a general way that it may not be overlooked. While I am devoting but little time to it, I regard it as one of the most serious and dangerous forces of evil that is now threatening our republican form of government.

THE INCREASED POWER OF THE MILITARY.

I refer also to the increased and increasing power of the military as inimical to free government. It has proven, as history teaches us, to be one of the great causes of the decay and downfall of other nations once as powerful and seemingly as secure as our own. The war in Europe has excited the fears of the American people and aroused an unfortunate military spirit that is much to be deplored. This unhappy condition of the public mind, manufactured largely by interested parties, especially the great corporations dealing in arms and munitions of war, acting upon Congress and forcing it to action resulted in laws enacted at the last session greatly increasing both the Army and Navy. So persistently and shrewdly was the public mind played upon and the fears of the people engendered that many unthinking people came to look upon this increase of our military strength as a patriotic duty, and the proposed increase became popular in the minds of many good people who did not and do not believe in war or a large Military Establishment. This perversion of the public mind, this creation of a belief in a large standing army in the minds of our people is one of the worst and most dangerous features of the situation. Let us hope that the American people may soon be restored to their right mind on this subject and that we may never have a large and dominating military force in this country. I hope any apprehensions that I or any other citizen may have on the subject may prove to be unfounded. But no thinking man can conceal from himself the fact that we have taken a long and dangerous step toward militarism, one of the greatest enemies of free and popular government.

History proves that there is no more arrogant or dominating power than that of the military. It is the representative of force and not of law. When it comes into action the laws of civil and orderly government are suspended or destroyed and arbitrary power, armed force, takes its place. I know that it is claimed that this can not happen in this country. But human nature is much the same the world over and it has happened more than once in other countries. Indeed, it has happened, and that in the most aggravated and lawless forms, in some of the States in our own country. Martial law in times of peace is not unknown in the United States, and it is a power to be dreaded by any nation or any people.

THE JUDICIARY IN POLITICS.

Mr. President, I have had occasion heretofore to express my views on the subject of the election of judges to political offices. In a speech delivered by me in this body April 12, 1916, in speaking of the Supreme Court of the United States, I said, in part:

To my mind it is of the gravest importance that that great tribunal should be separated absolutely and forever from politics, candidacy for office, or any interest in elections beyond that of the disinterested and patriotic private citizen.

But my objections to judicial officers becoming candidates for any other office are not confined to that great court. They apply with equal force to all judges, State and National. In some of the States, be it said to their credit, a judge is forbidden by law to be a candidate for any other office during the term for which he was elected. Unfortunately, it is held that this inhibition does not apply where the judge is a candidate for a Federal office; for example, United States Senator. There may be cases of extreme exigency where the salutary rule that I am contending for might with justice and propriety be violated in the public interest, but such cases must be exceedingly rare. Members of the Supreme Court have spoken at different times, urging in no uncertain terms the impropriety of themselves being candidates for President of the United States. Thus Chief Justice Waite, when asked to be a candidate for President, had this to say:

Of course, I am always grateful to my friends for any effort in my behalf, and no one ever had those more faithful or indulgent. But do you think it quite right for one occupying the first judicial position in the land to permit the use of his name for a political position? The office came to me covered with honor, and when I accepted it my chief duty was not to make it a stepping-stone to something else but to preserve its purity, and, if possible, make my name as honorable as that of my predecessors. No man ought to accept this place unless he shall take a vow to leave it as honorable as he found it. There ought never to be any necessity for rebuilding from below. All additions should be above. In my judgment, the Constitution might wisely have prohibited the election of a Chief Justice to the Presidency. Entertaining such a view, could I properly or consistently permit my name to be used for the promotion of a political combination as now suggested? If I should do so, could I at all times and in all cases remain an unbiased judge in the estimation of the people?

Under like circumstances Mr. Justice Hughes expressed similar lofty sentiments, as follows:

The Supreme Court must not be dragged into politics. A judge of the Supreme Court should not be available, though he is nominally eligible, for elective offices. The moment he assumes the judicial office he ceases to be a partisan and knows, or should know, no partisan obligation. The moment he accepts a party nomination one or more things happen and happen explicitly.

First, a political party may undertake to capitalize the judicial decisions of its candidate, than which nothing could be more deeply violative of the spirit of the judicial institution. His decisions would, moreover, become subject to the partisan and passionate review of partisan strife. Worst of all, it is not inconceivable that, if men are to step from the bench to elective office, decisions may ultimately be rendered with a view to the contingency of such public and necessarily partisan review.

Such a situation would be certain to lessen the independence of the judiciary, as it would inevitably impair the Nation's confidence in the unswerving integrity of the court. Of what real and permanent value were the decisions of a judge to-day who on the morrow may choose or be chosen to sue for the favor and suffrage of the electorate?

More important than the outcome of the present political contest, however large it looms at present, is the perpetuating of the organic institutions or sovereignty of the Republic. One such institution coordinate with the executive and legislative is the judicial. The people rightly believe in the integrity and the incorruptibility of the Supreme Bench. The justices of the Supreme Court of the United States are privileged by virtue of their office to render service of the highest order to the Nation.

The performance of that service and the maintenance of the dignity of that office depends in largest part upon the will of the members of that court to suffer no personal ambition for elective office, however great their gifts, and though their fitness be in every other respect beyond question, to influence their judgment or to affect the attitude of the Nation to the Supreme Court as a tribunal, which, without personal aims and above private ambition, seeks to interpret the law upon the basis of the Constitution of the United States.

I hope that as a justice of the Supreme Court I am rendering public service and may continue to do so for some years; but the Supreme Court must not be dragged into politics, and no man is as essential to his country's well-being as is the unstained integrity of the courts.

And Mr. Justice Miller, another distinguished member of the court, refused, in 1876, to be a candidate for the Presidency for the same reasons.

Notwithstanding the strong sentiments of the judges themselves against their being candidates for political offices, it is not an uncommon thing to see judges running for other offices not only during the terms for which they were elected but during the term of their actual and active service on the bench and without even resigning their judicial positions.

Mr. President, to me this is an unpardonable offense. It should be expressly forbidden by law in the Government as it is in a number of the States, and this not alone because of the impropriety of dragging the courts into politics but for the better and stronger reason that it tends to break down the constitutional barriers between the different departments of gov-

ernment and thus destroy one of the greatest safeguards to the liberties of the people and the maintenance of our republican form of government.

CAMPAIGNING FOR THE PRESIDENCY.

Mr. President, it will be a sad day for the people of this Republic when they lose their respect for the office of President of the United States and cease to look upon it as sacredly and disinterestedly devoted to the preservation of the rights and liberties of the people, free from selfish ambitions and political or personal self-seeking. The dignity of this great office must be maintained and its independence preserved and defended against the degrading influences of party strife and the ambitions of the seeker after office and personal gain. As I have said, when a citizen is elected President he should cease to be a politician or partisan and become the servant of the whole people. I go further than that, Mr. President. I maintain that no man should seek this great office or as a candidate become the advocate of his own election or the success of his party. Time was when the impropriety, to say no worse of it, of a candidate for President taking the stump in the campaign for his election was fully recognized and observed. It was very generally looked upon as beneath the dignity of the office and unworthy of the candidate.

But, sir, this high ideal has become a thing of the past. By degrees the candidates for the Presidency have become more and more active in support of their own election, until at the last campaign we witnessed the unhappy and undignified spectacle of the several candidates for the Presidency, including the incumbent of the office seeking reelection, traveling the country over making political speeches, feasting at banquets, indulging in criminations and recriminations against each other, and practicing all the arts of the politician to secure the success of their respective parties and their own election. It was not an inspiring or elevating exhibition. I hope the American people will never be called upon to witness such another scene. It has been my conviction always that no candidate for President should engage in the campaign for his own election. It shows a lamentable lack of appreciation of the dignity and high character of the office and of the duties and obligations an election imposes upon the successful candidate.

It seems to me, Mr. President, that the whole tendency of the times is to cheapen, belittle, and degrade this exalted position. The President is expected to travel about the country making a public show of himself, deliver addresses on all sorts of subjects, and make a common lyceum bureau of his office instead of performing the legitimate duties of his office, and the extent to which occupants of the office have responded to this unseemly demand upon their time and attention has been rather shocking to me, and it is an evil that is growing in extent year after year. My conception of the exalted office of President of the United States is such that to use it for such commonplace purposes is offensive to my sense of the proprieties, to say nothing more of it, and is calculated to bring the office into disrespect and contempt.

CLASS LEGISLATION.

Mr. President, another of the dangerous tendencies of the times is the disposition of Congress to legislate in favor of certain classes of citizens to the exclusion of other classes. This is conspicuously true of the farmers and the labor organizations of the country. There is no reason whatever for singling out these interests and favoring them by any legislation enacted for their especial benefit. They do not need special legislation in their behalf, and if they did, to single them, or either of them, out for such special and class legislation is vicious and in violation of the principle that all men are equal under our laws and form of government. The farmers of the country, who should be and are the most independent and patriotic of our citizens, should rise up in indignant opposition to the use that is being made of their names and their interests in aid of extravagant and useless appropriations and unnecessary legislation, ostensibly for their protection and benefit, but in fact to secure their political support and their votes. The same thing may be said of the laboring class. The whole thing is nauseating to one who believes in legislating uniformly for all classes, without distinction or favoritism. The object of such legislation is transparently evident when we read the platforms of the different parties, in which they boastfully refer to what they have done for the farming and laboring classes.

Mr. President, time and space will not allow me to go into the details of such legislation, but I may mention in a general way the exemption of farmers and labor organizations from injunctive remedies that may be resorted to as against all other citizens; appropriations for good roads in the States, avowedly

for the benefit of the farmers; rural-credit legislation, in the same interests; the eight-hour law passed at the last session under duress and without investigation; appropriations for fertilizer plants for the benefit of the farmers, and innumerable items of appropriations in the agricultural and other appropriation bills made for the especial benefit of farmers and other specific classes of people, many of them extravagant and unnecessary and only to secure the good will and political support of such classes.

Mr. President, there is no objection to legislation in favor of the farmers, the laboring men, or any other class of citizens if that legislation is at the same time for the benefit of the people generally. For example, if an eight-hour day is in the interest of the public and not alone of one class, to the detriment of the general public, there is no reason why it should not be enforced by law, if that is necessary. But this is not the theory upon which such laws are enacted. They are avowedly enacted for the benefit of a class without regard to their effect upon the people of the country as a whole, and the boast of the political parties is that they have been enacted for that purpose.

Any law that singles out any class of citizens and favors that class alone without regard to its effect upon the people generally is vicious, un-American, and inexcusable, and any law that exempts one class of citizens from the effects of a law and deprives other citizens of a civil remedy against that class that they may enforce against others destroys the uniformity of our laws, violates the principle of equality so necessary under our system of government, and can find no justification whatever. It is unjust legislation and dangerous in its effects. It is peculiarly dangerous because it incites in the minds of the favored class the belief and understanding that they are a favored class under the laws of the country and entitled to favors and protection not accorded to other people.

POLITICS IN LEGISLATION.

Mr. President, let me now call attention very briefly to the unmitigated evil of mixing legislation and partisan politics. In too many cases laws are not passed or defeated on their merits as legislation, but because of their political effect. Hardly a law of any importance is enacted by Congress without taking into account its probable effect upon one political party or another, and the CONGRESSIONAL RECORD is full of political and partisan speeches that should never be heard in legislative halls. They breed bad legislation, lower the dignity and usefulness of a lawmaking body, and excite the distrust and contempt of all right-thinking patriotic citizens. Political parties are proper and necessary under our system of government, but their influence should be confined to political purposes and objects, and should not be used to secure or defeat legislation of a nonpartisan character, and no legislation should ever be enacted in the interest of a political party or for partisan purposes.

Again referring to the inaugural address of President Harrison, we find him opposing in strong language the prevailing system of patronage. His were wise and patriotic sentiments, expressed by a patriotic citizen just elevated to the exalted position of Chief Magistrate of this great Republic. It was a solemn occasion. What was then said should challenge the attention of every lover of his country. The warning conveyed in this message has not been heeded. Conditions in this respect have grown worse instead of better since that time. This partisan spirit that now enters so largely into legislation by Congress is the outcome of the vicious and unpatriotic doctrine that the President of the United States is the leader of his party and to the victor belongs the spoils, enforced by our unpardonable system of patronage to which I have already referred.

RELIGION IN POLITICS.

Mr. President, absolute and complete separation of church and state is one of the fundamental principles of our Government. Freedom of religious beliefs and practices is protected by the Constitution. Congress is expressly forbidden to legislate "respecting an establishment of religion or prohibiting the free exercise thereof." It is just as necessary that Government and all civic affairs should be kept free from religious or church influence or control as that freedom of religious belief and exercise should be sacredly preserved and protected. It is one of the threatening evils of the times that this important fact is not recognized or the principle that church and state shall be kept separate observed. As a natural and inevitable consequence we are threatened with a religio-political war, the tendency of which is to disturb the harmony of our civic institutions and the disruption and final overthrow of our free institutions and the destruction of the salutary principle of religious freedom.

In times past and even down to the present time in greater or less degree, in other countries, the church has exercised itself not

in its religion alone, which is protected by our Constitution, but in secular affairs as well. The power of religious organizations over civic and governmental affairs in some of those countries has been greatly curtailed in later times and their influence more nearly confined to their legitimate powers and functions as religious organizations. As a result it is seen, with no little apprehension, that this great power, either through organization or membership, is exerting every effort to extend its influence in this country in secular affairs, evidenced by the strenuous and to a great extent successful efforts to secure appointments to office and places of power and influence in secular and governmental affairs in the interest of religion. The American people should not look with tolerance upon this effort through religious and church influence to secure places that may in time give over to any religious body the control of civic affairs over which no church or religious body should as such have any influence or control.

Mr. President, what I have said is not inspired by any antagonism toward any particular church, its religion, or any of its members. My opposition to the influence of religion in politics is applicable to every church or religious body. No church, whatever its religious teachings, can be allowed control over civic or governmental affairs. No citizen, however worthy, should be elevated to any official position because of his religious beliefs or opinions or in the interest of his church or its religious beliefs or practices. Neither should he be debarred from holding office or participating in public affairs because of his religious beliefs. His rights, his duties, and his obligations, both as a citizen of this Republic and as one of its officers, should be wholly apart from and kept separate from his religious beliefs and his duties and obligations to his church, should there be any conflict between the two. His duty as a public official is to his country and not to his religion or his church.

The wisdom of this separation of church and state is fully attested by the history and experience of other countries. The most bloody and cruel wars of all history have been between religious bodies growing out of their control over the affairs of government. The intolerance and fanatical cruelty of religious bodies has been a disgrace to Christianity and to civilization. We want none of it in this country. Any attempt at church or religious influence or control over the political or governmental affairs must be condemned and crushed in the beginning if religious freedom and civic rights are to be protected and preserved. The unwise activities of church and religious influence in politics have aroused serious animosities and antagonism resulting in the organization of a secret society or association, the object of which is to antagonize and defeat any and every candidate for office supported by such influences. It is this political conflict between religious influence and a secret opposing organization that gives cause for great concern. Both religious and such secret organizations, so far as they deal in politics on any such grounds, are seriously in the wrong. It is just as reprehensible for any class of American citizens to combine or conspire together to defeat the political aspirations of a citizen because of his religion as it is for citizens of his religious faith to support him because of his religious beliefs, thus bringing religion into politics. It raises a false issue. It is un-American. It is in violation of the spirit of the Constitution. Any religious organization that presents any such issue invites a religious controversy in secular and civic affairs that may result in the most serious consequences. It has been made a direct issue in elections in some of the States already and has defeated some candidates for office. It has entered into this body and may, if the conflict continues, change its complexion. It is an evil that unless speedily exposed and patriotically suppressed will grow and spread. It should be the duty of every American citizen, whatever his religious beliefs, and every religious organization of whatever faith, to set face against every effort or tendency to bring religion into politics or make the religious faith of any citizen a test of his right or fitness for public office.

FAILURE TO PROTECT AMERICAN CITIZENS IN FOREIGN COUNTRIES.

One of the most solemn and imperative duties of any and every government is that of protecting the lives, the liberty, and the rights of property of its citizens abroad as well as at home. A failure to perform this sacred duty is the strongest kind of evidence of weakness. It creates a feeling of distrust and animosity on the part of the citizen whose rights go unprotected and a general want of respect for their country by all people. The duty of loyalty on the part of the citizen and the protection of his rights by the Government are mutual and dependent obligations, neither less strong than the other.

If a government neglects its duty in this respect, it must expect a lesser degree of respect and loyalty on the part of its

citizens, and this tends toward the weakness and decay of a government of and by the people. That this Government has failed in its duty to its own people in this respect for the last few years, under very trying circumstances and when many American citizens needed the support and protection of their Government the most, has been painfully evident and has been very generally condemned by our own people. Not only so, but it has put this Government in a most humiliating situation in the eyes of other countries. The neglect of our people in Mexico may be cited as the most striking failure of the Government to guard and protect the rights of its citizens. The treatment of our citizens in that country throughout the revolution, disorder, and anarchy in Mexico is one of the darkest pages of our history as a Nation. Instead of protecting their lives and their property where they were and had every right to be, all protection was withdrawn from them and they were compelled to abandon their all, in many cases the accumulation of years of labor, and flee for their lives or put themselves under the protection of some foreign country. No American citizen who knows what the obligations of his Government are under such circumstances and appreciates it can look back upon this page of the Nation's history without a sense of shame and humiliation. It is one of the convincing evidences of the weakness and decay of a nation.

In commenting on the failure of the Government to protect its citizens, Theodore Roosevelt, a distinguished American citizen and once President of the United States, quotes with approval this passage from John Fiske's *Critical Period of American History*:

A government touches the lowest point of ignominy when it confesses its inability to protect the lives and the property of its citizens. A government which has come to this has failed in discharging the primary function of government and forthwith ceases to have any reason for existing.

Nearly 40 years ago Mr. Evarts, then Secretary of State, wrote to Mr. Foster, our minister to Mexico:

The first duty of a government is to protect life and property. This is a paramount obligation. For this governments are instituted, and governments neglecting or failing to perform it become worse than useless. * * * Protection in fact to American lives and property is the sole point upon which the United States are tenacious.

And Senator Root, one of the leading statesmen of the present time, in ringing, patriotic words, thus announces the duty of the Government to protect its citizens everywhere and in solemn words declares the neglect of that duty to be the beginning of the death of the Nation:

The imminent, deadly peril of the Americans in Mexico was not a mere question of property or of human life. It was a question of national duty and honor and right to existence, for a nation that is indifferent to the oppression and destruction of its citizens anywhere on earth has already begun to die.

CAPITAL AND LABOR—IDLE AND PROFLIGATE RICH.

Mr. President, the problems growing out of the conflicting interests and claims of capital and labor, employer and employee, are amongst the most difficult and, in some respects, the most dangerous that the Government will have to contend with in the years to come. They affect not only the commercial and business affairs of the country, but enter into the social and economic relations of millions of our people. Great wealth in the hands of a few of the capitalistic and employer class has made them proud, arrogant, and oppressive, while as a counter-check the laboring class has organized and often uses its organization with a force and brutality no less reprehensible and dangerous to the public welfare than the oppressive use of the money power. The conflict of these two forces, whose interests in great measure should be identical, has arrayed these two great industrial forces against each other, and both are active and constantly at work using all of the influences of their money and their organizations to secure favorable legislation from legislative bodies, both State and National. It is a melancholy fact that these influences have to a very great degree reached legislative bodies and brought about unfortunate and discriminatory laws that should never have been enacted. As I have already said, class legislation is the most dangerous and inexcusable of all laws. They are un-American and an offense against our free republican institutions. They take into account the interests of a class attempted to be favored and consider the public interests not at all. Some general, definite legislation should be enacted that would secure the settlement of all labor disputes by peaceful means through some disinterested civil tribunal, and any and all forms of force or coercion, direct or indirect, be forbidden under severe penalties. It seems to me that Congress has the undoubted power, in the interest of the public welfare, to compel the settlement of such disputes, so far as they affect Federal interests, by arbitration or resort to the courts, and to prevent the attempt to settle

them by arbitrary or forceful action by any of the parties directly concerned, and the law-making power of this great and powerful Nation should have the moral courage to take such action as will bring this about, and that speedily.

But, Mr. President, as I conceive, there is a more serious and dangerous side to this problem than the disturbance of business by whatever means. This division of our people into classes, depending upon the amount of money they possess or the nature of their calling, whereby in the public estimation the man who lives by manual labor is placed in and regarded as belonging to an inferior class for that reason only, and another man less worthy and less respectable is placed in a superior class because he does not labor with his hands and is possessed of greater wealth or because one is the employer of the other, is bound sooner or later to result disastrously to a Government founded on the principle of absolute equality of opportunity and of rights under the law.

To me one of the most pathetic and at the same time the most deplorable features of this situation is that the laboring people willingly accept this classification of them as inferior and appeal for legislation in their behalf on this very ground. The whole thing is obnoxious to every principle of popular government, and this division of men and women into classes can find no reason or justification in principle or in law, human or divine.

Mr. President, there is another serious side to this situation that should not be overlooked in estimating its effects on the public interests and its tendency toward degeneracy and final dissolution of a democratic Government. The accumulation of inordinate wealth has given us another class of people that has no place in a Government like ours, namely, the idle and profligate rich. They are leeches on society, a useless incumbrance, and an evil example that leads to idleness, profligacy, and crime on the part of others as well as themselves. It would be a good thing and wholesome in its effects if every man living on his income and following no useful employment should be compelled by law to work at some useful occupation, if not for himself then for the State. To live in idleness is not only degenerating in its effects upon the man who does not work but it leads others to the same useless way of living that permeates and lowers the standard of the community as a whole.

While I am about it let me mention one other phase of this question. There is great discontent on the part of the laboring class growing out of the high living and show of wealth and display by their more fortunate countrymen in a worldly way. The thoughtless rich, whether idle or not, are constantly flaunting the evidences of their wealth in the faces of their less fortunate fellow citizens. I never see an American citizen in his automobile or carriage driven by another American citizen dressed in livery, a badge of servitude and inferiority, that I do not feel a sense of resentment at this aping of royalty and the degenerating flunkysm that it engenders. It is an inexcusable departure from the simplicity that should characterize the conduct of the people of a free Republic founded on the great preserving principle of equality. Men and women of great wealth are setting an example that if followed will inevitably lead to disaster. They are leading the way to the degeneracy of their own class and the degradation of what they are pleased to regard as their servants, if not their slaves, and as belonging to an inferior class only fit to serve them, that is growing worse and more threatening as time goes on. The rich are growing richer and the poor poorer as the country grows more rich and more powerful, and division of the people into classes becomes more marked and more hurtful to the public interests and the rich become more arrogant and offensive to those who are foolish enough to look up to them as superior beings only because of their offensive display of wealth.

SUPERTAX ON WEALTH.

Mr. President, it is a very nice thing for the man of moderate means to contemplate the spectacle of forcing the man of large means to pay most of the taxes by levying heavily on his income if it exceeds a certain sum, but it may not be out of place to call attention to the probable effect of this means of raising public revenue. I have already commented upon the fact that more and more big business, wealth, and the power of the great corporations are influencing and controlling legislation and the affairs of government in all its branches. I am very much afraid that this innovation of exacting heavy tribute from such interests will contribute to an increase of this baleful influence over politics and government. The men of large incomes, that are increasing in number, and the amounts of their annual incomes, if they are called upon to pay the larger share of the expenses of operating the Government, will have great reason to say, "If we support the Government we should be allowed to

control its management and say how our Government shall be run and our money expended." How far this kind of legislation is going to affect this result no one can tell, but I do not hesitate to say that, in principle it is wrong and will tend to evil consequences. I look with disfavor and apprehension upon the accumulation of immense fortunes in the hands of a comparatively few, or, for that matter, any number of individual men or combinations of men in any form. I think it should be prevented in the public interest. I believe the fortune that any man may acquire in this country should be limited by law to a reasonable sum and in the forfeiting to the Government or the State of all he may accumulate over the limited amount in that way, to be used for charitable or other beneficent purposes, or, if in business, to be divided with his employees; but I do not like the idea of giving a man of large income a greater interest in the Government than have a hundred or more men having collectively an income equal to his. Besides, this means of raising revenue renders the contribution of the several States unequal. The States having a few citizens of large income may be compelled to contribute more to maintain the Government than another State having a greater population and property of greater value. I submit, sir, that any system of taxation that discriminates between the taxpayers of the country as to the proportion of taxes they shall pay is vicious and calculated to bring us serious trouble.

CENTRALIZATION OF GOVERNMENT—ABANDONMENT OF STATE RIGHTS.

Mr. President, I have given attention to some of the processes of government and habits of the people that, if persisted in, as I look upon them, lead to weakness, degeneracy, and final dissolution of our form of government. In the estimation of others some of them may seem trivial and unworthy of serious consideration. As to some of them, taken singly, this is undoubtedly so, but taking them together, as showing the tendencies of the times in which we live, they call for the thoughtful and candid attention and treatment of all lovers of liberty and free popular government.

I come now, sir, to the contemplation of another question which is of itself and standing alone of transcendent importance. I have more than once since I have been a Member of this body referred to the tendency of legislation toward the centralization of government to the exclusion of the States and local civil and municipal organizations. To me the more singular and at the same time the most hopeless phase of it is that it does not come so much from an attempt or desire on the part of the Federal Government to usurp the powers of the States, as a willingness, desire, and persistent attempt by their Representatives in Congress to surrender and abandon the rights and evade the duties and obligations of the States for mercenary reasons and a money consideration. This I have said here in general terms more than once. I desire now to amplify what I have already said, to go more specifically into the extent to which Congress has entered upon this process of centralization and to point out the dangers to a free Republic and the Federation of States that lurk behind this endeavor to get money out of the National Treasury by the surrender to the Government of the sovereign rights of the States. I do not intend to take up the time of the Senate in any extended discussion of the constitutional rights of the Federal Government and the several States, respectively. Every Senator, every intelligent and well-informed American citizen knows that the Government has only such powers as are expressly granted to it by the Constitution and such incidental powers as are necessary to carry out and make effective the powers thus delegated, and that all other powers are reserved to and remain in the States.

In the great debate in this body, early in the history of the country, between Senators Webster and Hayne, Mr. Webster put it this way:

The people, then, sir, erected this Government. They gave it a Constitution, and in that Constitution they have enumerated the powers which they bestow on it. They have made it a limited government. They have defined its authority. They have restrained it to the exercise of such powers as are granted; and all others, they declare, are reserved to the States or the people.

And again:

The General Government and the State governments derive their authority from the same source. Neither can, in relation to the other, be called primary, though one is definite and restricted and the other general and residuary. The National Government possesses those powers which it can be shown the people have conferred on it, and no more. All the rest belongs to the State governments, or to the people themselves.

Mr. Hayne, then the avowed champion of State rights in the broadest sense and going far beyond Mr. Webster, had this to say on the subject:

Who, then, Mr. President, are the true friends of the Union? Those who would confine the Federal Government strictly within the limits

prescribed by the Constitution, who would preserve to the States and the people all powers not expressly delegated, who would make this a Federal and not a National Union, and who, administering the Government in a spirit of equal justice, would make it a blessing and not a curse. And who are its enemies? Those who are in favor of consolidation, who are constantly stealing power from the States and adding strength to the Federal Government; who, assuming an unwarrantable jurisdiction over the States and the people, undertake to regulate the whole industry and capital of the country.

In support of his position, Mr. Hayne thus quoted Mr. Jefferson in a letter to Mr. Giles, written about the same time. He says:

I see as you do, and with the deepest affliction, the rapid strides with which the Federal branch of our Government is advancing toward the usurpation of all the rights reserved to the States and the consolidation in itself of all powers, foreign and domestic, and that, too, by constructions which leave no limits to their powers, etc. Under the power to regulate commerce they assume indefinitely that also over agriculture and manufactures, etc. Under the authority to establish post roads they claim that of cutting down mountains for the construction of roads and digging canals, etc.

Mr. Hayne went so far as to maintain that each State had the right to determine for itself what its sovereign rights were and to nullify and refuse to be bound by any law of Congress that it held to be in violation of its rights as a State. But this claim was forever put at rest by the Civil War as well as by decisions of the Supreme Court of the United States which, it is now settled, is the one and only tribunal having power and jurisdiction to settle finally controversies of this kind arising between a State and the National Government. There can be no doubt of the wisdom of vesting this jurisdiction in the Federal courts. But it is morally certain that this has tended to magnify and increase, by construction, the powers of the Government as against the States. It is a well-understood fact that, as a rule, all Federal officers magnify their own power and the power of the Government. Perhaps the courts are freer from this weakness than are the officers of other departments.

Thomas Jefferson, in his inaugural address of March 4, 1801, in stating "the essential principles of our Government," thus tersely and concisely stated what appeals to me as the correct rule on the subject:

The support of the State governments in all their rights as the most competent administrations for our domestic concerns and the surest bulwarks against antirepublican tendencies, and the preservation of the General Government in its whole constitutional vigor as the sheet anchor of our peace at home and safety abroad.

My own position is that in order to preserve the equilibrium of the Union of States it is necessary that the powers of both the National Government and the States should be accurately ascertained and preserved, one as much as the other. There has been but little difficulty in arriving at the powers of the National Government as expressly granted to it by the Constitution. The trouble has been to determine with anything like accuracy the extent to which it may go to enforce and make effective the powers thus granted, or, in other words, what incidental powers not expressly granted it may exercise as a means of enforcing and making effective its unquestioned delegated powers. And, sir, this is the rock upon which this ship of state, composed of individual States, is most likely to founder. Again I refrain from going into any extensive discussion of this subject, upon which so much learning has been expended by statesmen, jurists, and historians. I am dealing with general principles of government and endeavoring to demonstrate to the Senate and the country that we are treading on dangerous ground and pursuing a course that may, and almost certainly will, eventually lead to disaster unless, as some think, a centralized government will best serve the interests of the people. I do not think so.

Mr. President, it is my purpose to call attention with some particularity to the course of legislation enacted and threatened that, in my judgment, leads directly and inevitably to the establishment of a centralized government here in the Capital of the Nation and the ultimate destruction of all sovereign power in the States, and that without the amendment of the Constitution in the manner provided for in its provisions. This of itself, of course, would be a usurpation of power and a denial to the people of the rights guaranteed to them by the fundamental law under which their Government was formed and now exists, with some of their constitutional rights already taken away from them or abandoned to the Federal Government by the acts of their own Representatives in Congress.

Let me refer to a few of the acts and proposed acts of legislation that are driving us headlong toward a centralized and highly paternal Government:

The so-called good-roads law, lately enacted; provisions for Federal vocational schools in the States; the extension of the Public Health Service in the States; the proposed water-power legislation; the establishment of nitrate plants to supply fer-

tilizers for the farmers; the child-labor law; the charitable appropriations to meet losses of citizens within the States by storms and other disasters; the extension of the powers and activities of the Agricultural Department to matters of State and local concern; rural-credit legislation; the hundreds of appropriations that are being made year after year in aid of the States and individuals within the States; the raising of numerous special commissions that are being added to every year; and the proposed railroad legislation leading to the fixing of rates and hours of labor for working people. These are only a few of the legislative acts that might be mentioned, but they will serve to direct the attention of the Senate to the dangerous tendencies of legislation of this character to which I am now addressing myself.

I want to call the attention of the Senate a little more particularly to my reasons for thinking that the kind of legislation illustrated by the few cases referred to are unconstitutional, objectionable, and dangerous.

The good-roads law is clearly objectionable on constitutional grounds. The Government is not authorized by the Constitution to build or improve the public highways within the States, particularly where they are wholly within a State. Nobody pretends to say it has. Expenditure of money for such a purpose could only be justified, or even excused, by showing that the highway to be constructed was necessary to be used to carry out some other delegated power and as incidental to it. This obvious limitation of power on the part of the Government was recognized in the bill by the pretense that the roads to be constructed and improved were post roads and were to be improved to facilitate the carrying of the United States mails. But everybody here knew that was not the purpose. This claim was a cheat which only made the offense of invading the rights of the States and misappropriating the people's money that much worse. The law was not only unconstitutional, it was fraudulent. Every argument made in support of it was founded upon the benefit improved highways would be to the people of the States, especially to the farmers. If the building or improvements by the National Government for such a purpose can be justified, then Congress may lawfully appropriate Government funds to make any public improvement within a State if it will benefit the people or any class of people. The validity of this law will probably never be tested. The people of the States are altogether too willing to accept gratuities of this kind from the Government. But if it ever is contested it can be sustained only for the reason that the courts will not inquire into the motives of Congress in enacting it, as the law on its face shows that the money is to be expended for the improvement of roads over which the mails are carried, and therefore incidental to the power and duty of the Federal Government to transport the mails. It would make no difference in that case that this was a false pretense and everybody but the court knows it to be so.

But, Mr. President, the fact that such a law is unconstitutional is not by any means the only just objection to it. It is an unwarranted encroachment upon the rights of the States. The States alone have jurisdiction over the highways within their borders. It is their right, uninfluenced by any other power or jurisdiction, to say when and where and how their roads shall be built or improved. To allow the Federal Government any control of these highways is an unlawful extension of the powers of the General Government, and to that extent a usurpation of power and an encroachment upon the sovereign rights of the States, besides being a very objectionable kind of paternalism that is against public policy. It is cultivating in the minds of the people of the States the false theory that the Government should supply their needs and relieve them of all responsibility and expense. It tends to the dependency of the people and consequent weakness of the States. To me such legislation has no redeeming quality but is fundamentally wrong in principle, vicious in character, and degenerating and dangerous in its effects.

The law for the establishment and maintenance of vocational schools within the States at Government expense is of the same character, and equally if not more objectionable than the good-roads law. It gives the Federal Government a control and influence over the education of the children of a State that it does not rightly possess, and is to be condemned as an unlawful and illegitimate exercise of authority and an infringement upon the rights and powers of the States.

The steady and persistent encroachments of the Public Health Service in its growing activities in the States is one of the worst phases of this tendency and disposition to concentrate all power in the National Government. To say nothing of the baleful effects of the horrifying health-destroying literature sent out into the States by the Health Service it is more and

more taking over the duties that belong to and should be exercised by the State authorities alone. All of the States are well supplied, most of them oversupplied, with health organizations, many of them doing more harm than good. But Congress, influenced by the Federal health authorities, has not been content to leave these matters to the States, where they belong under the Constitution. State, county, and city boards of health exist, I believe, in every State in the Union. They are, as a rule, just as able and competent to deal with health problems as are the officers of the National Health Service. And yet the Government is spending millions of dollars every year in duplicating or performing the work that should be done wholly by the States and at their expense.

The only plausible excuse for this palpable misappropriation and waste of public funds is that the Government has more money and greater power than a State, and for that reason can perform the service better and more effectively. The evil effects of this position must be evident. It serves to take away all incentive and initiative on the part of the States and leads the people of the States to depend upon the National Government to do for them what they should do for themselves, and extends the Federal power into every State entirely beyond its legitimate scope. Let me instance a few of the latest advances of the Public Health Service into the domain of the States. The last thing asked for at the last session of Congress was an additional division in the service to be known as the division of rural sanitation. Of course, there can be no rural territory over which the National Government has jurisdiction except in the District of Columbia and the Territories. But the activities of the Health Service has been systematically and without authority extended to the sanitary work in several of the States, and the service is now asking for an additional division, which it is claimed will enable it to carry on the work already under way more efficiently. Evidence taken before the Senate Committee on Public Health disclosed the fact that this rural-sanitation work consisted in great part, at least, in the survey, so called, of counties in the States at an expense of \$6,000 a county in different localities in a number of the States. The plan was to inspect the farms, the springs, wells, dwelling houses, and barns, and advise the farmers of the best way of conducting and carrying on their farms for the preservation of the health of themselves and their families. When asked why this, if necessary, should not be left to the State authorities, the only answer was that the States had not money enough to do the work, and as an excuse for Government interference it was claimed by the Health Service that bad sanitary conditions on the farms and in the rural districts might cause malaria, typhoid fever, and other similar diseases which, it was claimed, are transmissible diseases and might be carried from one State to another, thus making it an interstate affair and within the jurisdiction of the Federal authorities.

The whole thing is so absurd and untenable that it could hardly be supposed that it would find any supporters in Congress, but, strange as it may seem, it has found earnest supporters in this body. Such a broad construction of the powers of the National Government to deal with matters within the States would remove all barriers and destroy all limitations of the Federal authorities and make it unnecessary to maintain State or other boards of health by the States. This instance of Federal usurpation of State sovereignty through the Health Service is only one of many. The present tendency, as well as the endeavors of the health authorities, is to assume and exercise full and unlimited power over the health of the people of the States. And the States and their health authorities seem perfectly willing to have it so, for the reason already suggested, that it saves them money and responsibility and imposes the burden on the Federal Government.

But, Mr. President, the extreme limit of Federal usurpation, so far, was reached in the child-labor law forced through Congress at the last session largely, if not entirely, for political purposes. In substance the law makes it unlawful to ship any goods in interstate commerce that have been manufactured in an establishment in which a child or children under a certain age were employed whether they were engaged in the manufacture of the goods shipped or not. This law has been attempted to be justified by the decision of the Supreme Court of the United States upholding what has come to be known as the white-slave act. But, sir, I maintain that there is no analogy between the two acts, and that there is nothing in the white-slave decision to support the constitutionality of the child-labor law. The child-labor law attempts to make unlawful an act committed wholly within a State and entirely and exclusively under the jurisdiction of a State, and to prevent its commission by excluding from transportation into another State manufactured articles perfectly harmless to commerce and to

the State into which they are carried. The claim that such transportation is harmful or injurious is sheer pretense. The law is directed wholly against the employment of child labor within a State and nothing else, and as, admittedly, the Government can not define or punish such a crime within a State, it is attempted to punish it indirectly by making unlawful a perfectly lawful and inoffensive act, namely, the shipment of entirely innocent and harmless manufactured goods. There can be no possible analogy of such a law to the white-slave act. That act provides:

That any person who shall knowingly transport or cause to be transported, or aid or assist in obtaining transportation for, or in transporting, in interstate or foreign commerce, or in any Territory or in the District of Columbia, any woman or girl for the purposes of prostitution.

This is to prohibit, in terms, transportation in foreign or interstate commerce for an unlawful purpose. That is to say, the act of interstate transportation over which Congress has undoubted jurisdiction is itself for an unlawful purpose. This is not so of the child-labor law, nor is it claimed to be so. As I have said the act sought to be prevented has no connection with or effect upon the thing over which alone Congress has jurisdiction, namely, interstate commerce. The difference between the white-slave act and the child-labor law and the principle upon which the former was upheld will be made perfectly obvious by a few brief extracts from the opinion in *Hoke v. United States* (227 U. S., 308) involving the constitutionality of the white-slave law.

In defining the meaning and object of the law the court said:

What the act condemns is transportation obtained or aided or transportation induced in interstate commerce for the immoral purposes mentioned.

And again in commenting on the act to prevent the transportation of impure food and adulterated drugs in interstate commerce, the court said:

It may be that Congress could not prohibit the manufacture of the article in a State. It may be that Congress could not prohibit in all of its conditions its sale within a State. But Congress may prohibit its transportation between the States and by that means defeat the motive and evils of its manufacture.

The pure-food act is clearly distinguishable from the child-labor law. There the thing to be transported was injurious to health and therefore its transportation, which aided in its additional sale and wider distribution, was itself an offense within Federal jurisdiction.

Further, in defining the power of Congress the court had this to say:

The principle established by the cases is the simple one, when rid of confusing and distracting considerations, that Congress has power over transportation "among the several States"; that the power is complete in itself and that Congress, as an incident to it, may adopt not only means necessary but convenient to its exercise, and the means may have the quality of police regulations.

It must be evident that the power of Congress is confined to the protection of the people of the States from the use of interstate transportation for evil or injurious purposes affecting the States. There is no such element in the child-labor law and no such principle to uphold it.

I voted for the child-labor law principally because I believed it would afford an opportunity for the Supreme Court to define the respective powers of the Federal and State authorities and to check the prevailing tendency to unduly enlarge and extend Federal authority over State affairs and the consequent breaking down of the constitutional barriers between Federal and State sovereignty.

The various laws to which I have adverted are founded on, or attempted to be justified under, the public welfare and commerce clauses of the Constitution and the incidental one of police regulation. In my opinion these provisions of the Constitution have already, in some instances, been too liberally construed in favor of Federal jurisdiction as against the States. But it is too obvious that Congress is ready and willing to go further in this direction than the courts have gone, and it is this principally that I am complaining of as unwarranted and dangerous.

If we can go as far as is proposed in the laws that I have already mentioned, then there is practically no limit to the right or the power of the Government to legislate for the benefit of the people of the States in cooperation with or to the exclusion of State authority. If the Government can go into a State to aid in educating its children or in protecting those who labor from too long hours of service, on the ground that to improve the condition of one child in a State is within the welfare clause of the Constitution, or that it may forbid the use of interstate-commerce facilities under the commerce clause to a manufacturer because of the means by which his goods are manufactured in a State, then there is no limit to the powers of the National Government, for under that construction the making of any public improvement anywhere in the country or

the betterment of the condition of a single child in any State in the Union is in a sense a public benefit and for the welfare of the whole Nation, as an elevation of its citizenship and the enlightenment and advantage of some one citizen that helps to make up the masses in all the States that constitute also the citizenship of the Nation, as well as of the individual States, and would bring it within the welfare clause. That must be the final outcome, the logical result of such legislation as I have been considering, if upheld by the courts. That Congress has gone that far in enacting the child-labor law there is no denying. The Supreme Court of the United States may follow that far, but I trust not.

Mr. President, more and more we are concentrating the regulation of railroads and other corporations here in Washington. We are about entering upon the hazardous undertaking of fixing and regulating wages for employees of corporations doing an interstate business, as well as their hours of labor. This of necessity involves the changes of rates and charges to be made by such corporations to meet changes that may be made from time to time of hours of labor and the wages to be paid. Thus practically we centralize in the National Government the power not only to regulate rates and charges, but to say how many hours hundreds of thousands of laboring men and women all over the country shall work and the wages they shall receive. It will be an unhappy day for the laboring people when this condition is brought about. It will take from them the power to contract for their wages, as well as for the hours they may work, and subject them to the powerful, almost irresistible, power of the great corporations to control legislation. They will no longer be free and independent agents, with the right to deal, by contract or in any other independent way, with the vital things that affect the lives and fortunes of themselves and their families. In effect, they will be placed under the guardianship of the Government and made dependent on Congress for their daily bread. Such legislation will destroy the independence of the laboring class of American citizens and make them little better than slaves. Every laboring man and woman in the country should rise in revolt against this movement to humiliate and degrade them and their calling.

Mr. President, if we have reached a condition in this country where it has become necessary to thus reduce the laboring people to this helpless condition of dependence on the will of Congress and place them under the guardianship of the Government, we had better accept the inevitable and take over the ownership of all corporations doing an interstate business and have done with it at once. If we do, this will be followed by corporations doing intrastate business being taken over by the States as a necessary and inevitable consequence, and we will then have paternalized National and State Governments with all their devastating and demoralizing influences. That will sooner or later result in the swallowing up of the States by the Federal Government and the taking over of all this vast power by the centralized forces in the National Capital. I know Senators may say all this is mere speculation, and that the things I have mentioned may never happen. But, sir, I am talking now about tendencies of Government, and no candid man can look present conditions in the face and contemplate the legislation that is now proposed and say that we are not driving on to just such conditions in the future as I have suggested. Do we want even to start along the road that will, if pursued, inevitably lead to such results? I shall not be here to help to deal with this momentous question growing out of the unfortunate conflict between capital and labor, but there are Senators about me who will have to meet just this situation I am now laying before you. I pray God they may solve the problem in a way that will preserve the independence of the American people of all classes and redound to the future glory of this great Nation, the institutions of which are now on trial and being put to the test as they never were before.

Mr. President, I am not going to spend time in analyzing the other cases of legislation that I have mentioned above as leading inevitably to this result. I have said enough to inform the Senate what my views on the subject are, which must suffice for the present. I pass now to the consideration of the effects of such a course, and what I am greatly afraid will be the ultimate outcome of it all, and in doing so I shall take the liberty of quoting from others who have stated their views and expressed their fears and apprehensions growing out of the consummated and threatened usurpation of power by the Federal Government.

The protests I am now making against Executive usurpation and centralized government are not new. They have been discussed and their dangers pointed out by distinguished statesmen and jurists almost from the beginning of this Republic down to the present time, but neither Congress nor the Presidents of later times have given heed to the oft-repeated warn-

ings of men like these, many of them profound students of the history of nations and the science of government, and in spite of them conditions have grown worse in the last few years until to-day they are looked upon by many thinking people as alarming. I feel it a solemn duty at the close of my service here to call the attention of the Senate and the country to some of the sentiments expressed by men whose views should command universal attention, and to emphasize what they have so well said. I have referred to some of the sayings of Mr. Jefferson on the subject, but I desire to quote from him a little further. In a letter to C. Hammond he states with clearness and precision what he regards as the results of centralizing all power in Washington, as we are now so rapidly doing. He says, amongst other things:

When all government, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another, and will become as venal and oppressive as the Government from which we separated. It will be, as in Europe, where every man must be either pike or gudgeon, hammer or anvil. Our functionaries and theirs are wares from the same workshop, made of the same materials and by the same hand. If the States look with apathy on this silent descent of their government into the gulf which is to swallow all, we have only to weep over the human character formed uncontrollable, but by a rod of iron, and the blasphemers of man, as incapable of self-government, become his true historians.

And in his autobiography (Ford, ed.) we find this:

It is not by the consolidation or concentration of powers, but by their distribution, that good government is effected. Were not this great country already divided into States, that division must be made, that each might do for itself what concerns itself directly and what it can so much better do than a distant authority.

So again his fears and apprehension are stated more fully in a letter to William B. Giles, in which he says:

I see with the deepest affliction the rapid strides with which the Federal branch of our Government is advancing toward the usurpation of all the rights reserved to the States, and the consolidation in itself of all powers, foreign and domestic; and that, too, by constructions which, if legitimate, leave no limits to their power. Take together the decisions of the Federal court, the doctrines of the President (John Quincy Adams), and the misconstructions of the constitutional compact acted on by the legislature of the Federal branch, and it is but too evident that the three ruling branches of that department are in combination to strip their colleagues, the State authorities, of the powers reserved by them, and to exercise themselves all functions foreign and domestic. Under the power to regulate commerce they assume indefinitely that also over agriculture and manufactures, and call it regulation to take the earnings of one of these branches of industry, and that, too, the most depressed, and put them into the pockets of the other, the most flourishing of all. Under the authority to establish post roads they claim that of cutting down mountains for the construction of roads, of digging canals, and aided by a little sophistry on the words "general welfare," a right to do, not only the acts to effect that, which are specifically enumerated and permitted, but whatsoever they shall think or pretend will be for the general welfare.

No one at this day will question the patriotism of Thomas Jefferson or his fidelity to the fundamental principles of the Government. And we are to-day to an alarming degree verifying the fears and apprehensions of this great patriot and statesman. He saw with his farseeing vision the dangers that were even then confronting the country in a very moderate degree as compared with the present time. Fortunately, he did not live to see his fears verified. Probably none of us will live to see the complete centralization of power in the National Government, ruled by a dictator, but that we are tending rapidly in that direction, that the dangers to the liberties of the people and their control over their Government are threatening and much more imminent than in the time of Thomas Jefferson, must be obvious to every thinking and observant American citizen.

Mr. President, what are the forces that are driving us toward this outcome? Mainly ambition and lust of power on the part of men elevated to the head of the executive department of the Government, the greed and cupidity of the people of the States who are willing to barter their sovereignty for money out of the National Treasury, and the lust for office and patronage through which the President wields such enormous power in controlling Members of Congress and others. These are the most powerful enemies of a government of the people.

Coming down to a later time, we have the solemn warning of William Henry Harrison, then President of the United States. His denunciation of these influences I have already quoted in discussing the usurpation of the Executive. His comment on the then powerful influence of patronage in the hands of the Chief Magistrate impels consideration of present conditions. The large additional number of Federal officers to be appointed by the President and the consequent increase of power in the hands of the Executive has been enormous, and that power is now being used to a degree never before known to bend public officials to the will of the President.

In view of the present state of politics, the claim of the President to be the head of his party, and the extent to which legislation is swayed by political and party considerations, I feel a

desire to quote again the patriotic utterance of President Harrison on the subject, but shall desist.

Having quoted somewhat extensively from statesmen of earlier times, I now attract the attention of the Senate to some of the views of men of modern times, whose sentiments are worthy of the most careful consideration.

David J. Brewer, one of the greatest jurists of his time, in an address delivered by him before the Arkansas and Texas Bar Associations in 1906, discussed this question with great freedom and frankness, particularly as it related to the Supreme Court of the United States, of which he was then a distinguished and trusted member. He gave particular attention to the false sentiment we hear expressed so often at this time that the courts should so construe the Constitution as to meet altered conditions and changing public sentiment, enlarging and modifying its provisions as appeared to be necessary for this purpose. I quote in part what he said on that subject:

This enlargement of the powers of the National Government is not to be regarded as the mere result of judicial action. It is an expression of the thought and desire of many, a thought and desire which took partial shape in the three post bellum amendments, and which is very clearly shown, both in the newspaper press and in the character of legislation which is constantly pressed upon the attention of Congress. There is also an evident attempt through public opinion thus formed to induce the Supreme Court to further this national enlargement.

It is urged that this is one Nation that in order that it fulfill its functions as a world power it must have all the powers which other nations possess; that law is but the reflex of public opinion, and if public opinion requires an enlargement of or an addition to the powers of Congress above and beyond those named in the Constitution the court must sanction the legislation to accomplish that end. If this tendency increases and the court responds to that kind of suggestion, it will not be long before it will become impossible to say that this is a government of enumerated powers, but, on the other hand, it will be a government with all the powers vested in the legislative and executive authorities of any nation; and the tenth amendment, which reserves to the people what they have not in terms granted, will become a voiceless and unmeaning part of the Constitution.

He then proceeds to emphasize the fact that this is a Government of the people and that the people alone have power to amend, enlarge, or modify the Constitution, and deprecates the idea that the Supreme Court may exercise any such power. On that branch of the subject he said, in part:

I know that there are changed conditions and a different social and business life from that which obtained when the Constitution was framed. It may be that new laws are necessary, possibly amendments to the Constitution, but it must always be remembered that this is a government of and by the people; and if additions and changes are necessary, let them be made in the appointed way. Never let the courts attempt to change laws or Constitution to meet what they think present conditions require. When they do this they clearly usurp powers belonging to the legislature and the people.

I fully believe that this Nation, as a nation, has all the powers which any nation possesses, but I as fully believe that those powers are vested in the people and that only such as they have enumerated in the Constitution have they granted to the Government. If they deem that further powers should be vested in that Government, the Constitution provides its own way of amendment, and it will be a sad day when the court is found assenting to the proposition that it has the right to enlarge the terms of that instrument.

And in considering the tendency toward the enlargement of the powers of the National Government at the expense of the States, and the consequent centralization of government, he attracted attention to the dangers of such a course in these words:

Is there not danger in this tendency, and may we not wisely consider whether it ought not to be stayed? I know it is said that the National Government is more efficient than the States, can reach supposed ills in their entirety when the States can only reach them partially. But is efficiency the only test? If it is, then a centralized government with a dictator is the ideal government, for none has such efficiency and thoroughness as a government under the absolute control of a single individual. Is there not danger in this centralization of building up the party machine and the party boss and giving them a power such as has never been dreamed of in this country? How strenuously even now the party whip is swung over the heads of Congressmen and Senators.

Judge Brewer did not live to see party influence and political bossism exerted in the Congress of the United States for purely selfish and political purposes as it has been in the last few years. He saw its dangers and pointed them out with great clearness. But things have grown rapidly worse, even in the short time since his death, and the influence of politics in legislation combined with the power of the Executive who, at the same time, stands as the leader of his party, has become a real and imminent menace to good government and peril to individual liberty. He goes further, and points out the dangers of magnifying and glorifying the greatness and power of the National Government, which leads inevitably to the enlargement of that power by taking their sovereign powers from the States and adding them to those of the National Government, thus making it still greater and more powerful. And, in this connection, he presses upon his hearers the greater necessity of educating the individual citizen to know and feel that this is his Government, for which

he is in part personally responsible, thus building up an independent and responsible citizenship that can alone maintain a government of the people. I commend his words on this subject to every patriotic American citizen and particularly to their chosen representatives in this body. Of this he says:

The truth is we are charmed and entranced by the thought of the power of the Nation. We glory in all that it has accomplished and the position that it is occupying among the nations of the earth, and we think of it as the supreme object of care. To my mind far more important is the protection of the individual, the building up within him of a sense of his personal responsibility. Naturally he will become inattentive and careless when he feels that the responsibility for the affairs of his community is not vested in the inhabitants of that community, but is located in Washington. While I rejoice with all others in the magnificent position of this Nation in the sight of the world, I rejoice far more in seeing the individual citizens of the separate communities so interested in the public welfare that for their communities they are striving to maintain justice and righteousness. For the most glorious product of our civilization is not the entrancing beauty of the Capital, the magnificence, wealth, or extravagance of the Government, its ironclads, or its Navy, its wonderful system of railroads, its marvelous manufacturing, mining, and other industries, but rather the individual's possession of an independent, conscientious, public-spirited citizenship.

Never will we pass the danger line until those who dwell in all our communities realize that upon themselves rests the burden of our civilization. It is human nature to turn responsibilities off, if possible, and if you develop in the locality a general feeling that in a Government at Washington rests full responsibility, the individual will steadily lose the spirit of independent public-spirited citizenship. I am not pessimistic. I believe in the glorious future of this Republic, for though I clearly see the tendency to-day, I as firmly believe that there will yet be a glorious resurrection of that spirit of individuality, that sense of personal responsibility which can alone give to this Nation an enduring and brilliant future.

That which I wish to call attention to is that too much and too frequent interference by Government blunts the sense of individual responsibility, and the danger is that we drift to a condition where the individual abandons his own duty and simply appeals to Government. So that if a man buys a pair of shoes which pinch his feet he will rush to the legislature for some statute regulating shoemaking, and for fear the State legislature can not reach every shoemaker in the land, hasten to Washington to have Congress undertake the work of regulation under its power over interstate commerce. The police power, never yet defined, is constantly broadening in its exercise, until it threatens to become an omnivorous governmental mouth, swallowing individual rights and immunities. Those guarantees of personal rights, which to my mind are the most valuable portions of the Constitution, are, if not openly disregarded, at least slurred over.

The closing words of this admirable and patriotic address may well be kept in memory. As he well says, "The protection of the liberty of the individual is the great duty of the Republic." Never in all the history of the country has it been so important that this sentiment should be borne in upon the minds of the people than at the present moment. Let me quote his words:

Let it never be forgotten that the protection of the liberty of the individual is the great duty of the Republic. Liberty; it is one of the grandest words in the English tongue.

I believe in the liberty of the soul, subject to no restraint but the law of love, and in the liberty of the individual, limited only by the equal rights of his neighbor. Whatever may be the changes of the future, whatever the new conditions of social, business, or political life, the time will never come when anything will justify shackling the golden rule or striking down the Declaration of Independence.

Mr. President, the patriotic sentiment so eloquently expressed by this distinguished jurist should be made the watchword of liberty and free government in every household, at every fire-side throughout this broad land. It should be a part of the education imparted to the youth of the Republic in our schools, public and private. It needs now, more than ever before, to be repeated and emphasized as one powerful means of checking the unpatriotic and dangerous tendencies that I have been discussing.

In an address before the New York Bar Association, Charles Evans Hughes, another distinguished jurist and statesman, expressed similar views. He emphasized, very properly, the necessity of preserving the powers and functions of both the Federal and State Governments. This I look upon as of supreme importance, as I have already indicated. It is just as important that the National Government should be protected in the powers delegated to it by the Constitution as that it should not be allowed to usurp or destroy the sovereign powers of the States. Both are essential to the preservation of such a dual government as ours.

I shall trespass further upon the time and patience of the Senate to quote from the pen of Elihu Root, lately an able and highly distinguished Member of this body and recognized as one of the greatest statesmen of this time. In an able and thoughtful article published in the North American Review of July and August, 1913, and during his service here, he had this to say on this important subject:

We should observe that the Civil War arose because the Constitution did not draw a clear line between the National and State powers regarding slavery. It is of very great importance that both of these authorities, State and National, shall be preserved together and that

the limitations which keep each within its proper province shall be maintained. If the power of the States were to override the power of the Nation, we should ultimately cease to have a nation and become only a body of really separate, although confederated, State sovereignties continually forced apart by diverse interests and ultimately quarreling with one another and separating altogether. On the other hand, if the power of the Nation were to override that of the States and usurp their functions, we should have this vast country, with its great population, inhabiting widely separated regions, differing in climate, in production, in industrial and social interests and ideas, governed in all its local affairs by one all-powerful, central government at Washington, imposing upon the home life and behavior of each community the opinions and ideas of propriety of distant majorities. Not only would this be intolerable and alien to the idea of free self-government, but it would be beyond the power of a central government to do directly. Decentralization would be made necessary by the mass of Government business to be transacted, and so our separate localities would come to be governed by delegated authority—by proconsuls authorized from Washington to execute the will of the great majority of the whole people. No one can doubt that this also would lead by its different route to the separation of our Union. Preservation of our dual system of government, carefully restrained in each of its parts by the limitations of the Constitution, has made possible our growth in local self-government and national power in the past, and, so far as we can see, it is essential to the continuance of that government in the future.

All of these three classes of constitutional limitations are therefore necessary to the perpetuity of our Government. I do not wish to be understood as saying that every single limitation is essential. There are some limitations that might be changed and something different substituted; but the system of limitation must be continued if our governmental system is to continue—if we are not to lose the fundamental principles of government upon which our Union is maintained and upon which our race has won the liberty secured by law, for which it has stood foremost in the world.

It will be seen that Senator Root, like Mr. Justice Hughes, seeks to impress upon the public mind the necessity of preserving intact the powers of both the National and State Governments, a necessity that must be obvious to all thinking people, but one that in these times needs to be brought to public notice and strongly emphasized. He is equally emphatic in his contention that the limitations of the Constitution upon the powers of both governments must be maintained if the institutions of the Government are to be preserved.

Now, Mr. President, having called attention to the sentiments of some of our own countrymen as to our form of government and the means and necessity of preserving it, let me refer briefly to the opinion of a student of nations and himself a historian of distinction as well as a fair and dispassionate observer of our own country.

De Tocqueville, in his Democracy in America, thus comments on centralized as compared with local self-government:

But whenever a central administration affects to supersede the persons most interested I am inclined to suppose that it is either misled or desirous to mislead. However enlightened and however skillful a central power may be, it can not of itself embrace all the details of the existence of a great nation. Such vigilance exceeds the powers of man.

It profits me but little, after all, that a vigilant authority should protect the tranquillity of my pleasures and constantly avert all dangers from my path, without my care or my concern. If this same authority is the absolute mistress of my liberty and of my life, and if it so monopolizes all the energy of existence, that when it languishes everything languishes around it, that when it sleeps everything must sleep, that when it dies the State itself must perish.

NEW ALIGNMENT OF POLITICAL PARTIES NECESSARY.

Mr. President, if this Government is to survive and perform its great mission on earth as a free Republic—a Government of the people—the dangerous and degenerating tendencies I have in part recounted must be checked and public sentiment and governmental activities turned in the opposite direction. Personal liberty, the sovereignty of the States and of the Nation in their respective spheres, the independence of the several departments of the Government must be preserved, we must return to that simplicity and economy that characterized the early days of the Republic, and every American citizen, man or woman, rich or poor, black or white, employer or employee, must be protected in his or her life and property and his or her political, industrial, and social rights.

But, sir, it may well be asked how is this to be done? Who is to lead the people out of the unfortunate condition into which they have fallen? Are there enough unselfish and patriotic citizens, men and women, to inaugurate and follow up a movement that will redeem this country from the bondage of commercialism, money seeking, political and official corruption, greed, and vice that now threaten the integrity, the very existence of the Government? I believe there are if only they were once brought together in organized form either within one of the old parties or in a new one. This can not be done under either of the old parties as now constituted and controlled. They have been the instruments through which our worst misfortunes have come upon us. The evil tendencies I have been enumerating have grown up under their administration of the Government. There is practically no fundamental issue between them to-day. It has become, so far as they are concerned, mostly a question of spoils. The encroachments upon the liberties of the people commenced

under Republican rule. They have grown infinitely worse and more offensive under Democratic domination. The Progressive Party has proved a failure because it was founded on malice, hatred, and a spirit of revenge and the personality of one man. No such party could hope to survive. When adversity came, and in its hour of need, its leaders, including its candidates for President and Vice President, consulting their own personal ambitions, deserted the party they had helped to found, as might have been expected. Only a few of the members of the party had any fixed principles of reform. The great majority of them were not the supporters of principles, but of men, or one man. Those who are Progressives from conviction stood by their principles and convictions and are still clinging to their party. It is a hopeless struggle that will come to nothing. Those of their number who deserted the party when their support was most needed have found no abiding place in either of the old parties. They are ostracized and distrusted. The same is true of Progressives within the old party.

The Republican Party is at this time hopelessly disorganized because of the conflicting and irreconcilable difference of views of its members on fundamental and vital questions. I had hoped it would be otherwise. I have been a Republican all my life. The party has performed a great mission. I had hoped with fervent desire that the party might be reunited and again become the champion of liberty and the defender of the principles that I believe to be necessary to the preservation of the Government. But, sir, that hope has been rudely dissipated. I repeat, nothing can be hoped for from either of the old parties as at present controlled.

The Democratic Party is just as hopelessly divided in sentiment between reactionaries and progressives. It is held together by the cohesive power of patronage and pelf and the fear of the colored race in politics. Things can not go on as they are. There must be a new alignment of political parties in this country unless one or the other of the old parties gives evidence of a change for the better. Otherwise, if this Nation is to be relieved from its present unfortunate condition, a new party must be formed. It must be founded on the principles of individual liberty and social, political, and industrial equality. It must stand for the fundamental principles of the Constitution and the independence and sovereignty of the States in local, and the Federal Government in national, affairs and for economy and simplicity in government and in private life. It must, in short, be a party of right ideas and intentions and composed of men and women who will stand firmly and courageously for the enforcement of the principles of right and justice at home and abroad. I should be glad to support such a party, unless the party to which I have always given allegiance espouses and in good faith devotes itself to the effort to bring about these reforms. It could be made the instrument of the greatest good to the greatest number of the people, redound to the glory of the Republic, and insure its perpetuity and usefulness to all mankind. The Progressive Party is discredited and disorganized. If its members, who have stood courageously for their party and its principles, would inaugurate such a party as I have indicated which would conform to their declared principles and include others of greater importance, under a new and appropriate name, it would meet with the approval of a great proportion of the American people and grow in favor if it should faithfully maintain the principles it stands for. If I were called upon to give name to such a political organization, I would call it the Liberty Party.

CONCLUSION.

Mr. President, I have taken up the time of the Senate by somewhat extensive quotations from others partly because of the extreme importance of the subject as I see it, and in order that it may be realized that the ideas I have advanced are not mere pessimistic and unfounded fears of my own, advanced now for the first time, but that they have been in the minds of leading men of the country almost from the beginning of the Government. I have called attention to them now because, in my judgment, founded in part on my service here in the Senate, the fears of the men whose utterances I have quoted are nearer being realized than ever before, and because I feel and feel very strongly the duty of calling attention anew to the patriotic sentiments expressed by these great men, and the sounding of a new note of warning from my place in this body as I am about to retire from public life with all its cares and responsibilities and its many disappointments.

Mr. President, I shall love my country and glory in its institutions and its accomplishments no less as a private American citizen than I do now as the responsible representative in this body of the people of the great State of California, my adopted home, a people than whom there are none more enlightened, intelligent, or patriotic in any of the States now forming this

great Republic. I have endeavored, in my few years of service here, to serve the best interests of my State and my country. No man, no organization, political or otherwise, no interests of any kind whatever, has been my master or allowed to dictate my course or influence my action as a public servant. I have served but one interest, and that the interest of the whole people. I came into the Senate wholly independent and free to follow my convictions. I go out of it and return to my people with the consolatory feeling that I have done my best to serve faithfully their best interests. Whatever others may say or think of my service in this body my conscience is satisfied, and that means more to me than the condemnation or approval of others who have not known my innermost thoughts or intentions as I have known them. I am far from being a pessimist. I believe sincerely in the institutions of my country. I have faith in the patriotism of my countrymen and their loyalty to those institutions. Uninfluenced by prejudice, self-interest, or passion they may be depended upon to protect their country in its integrity as handed down to us by the sturdy patriots, our forefathers. I have sounded this note of warning and recounted some of the evils that are threatening the Government we all love and revere to put them on guard that they may be the better able to stand against the forces of ambition, greed, and other evils that threaten us as a Nation. This I have done with charity for all and malice toward none.

CALLING OF THE ROLL.

Mr. LEWIS. Mr. President—

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). The Senator from Illinois.

Mr. LEWIS. I wish, first, to suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Pomerene	Stone
Borah	Johnson, S. Dak.	Robinson	Swanson
Brady	Jones	Saulsbury	Thomas
Chamberlain	Kenyon	Shafroth	Thompson
Chilton	Lewis	Sheppard	Tillman
Clapp	Lippitt	Sherman	Townsend
Clark	McCumber	Shields	Underwood
Culberson	Martin, Va.	Smith, Ariz.	Vardaman
Curtis	Martine, N. J.	Smith, Ga.	Wadsworth
Dillingham	Norris	Smith, Md.	Watson
Fletcher	Oliver	Smith, S. C.	Weeks
Gallinger	Page	Smoot	Works
Hardwick	Polindexter	Sterling	

The PRESIDING OFFICER. Fifty-one Senators having answered to their names. There is a quorum present.

Mr. LEWIS obtained the floor.

Mr. TOWNSEND. Mr. President—

Mr. LEWIS. I yield to the Senator from Michigan.

VOLUNTEER OFFICERS' RETIRED LIST (S. 392).

Mr. TOWNSEND. I have asked the Senator from Illinois to yield for the purpose of submitting a proposed unanimous-consent agreement, which I send to the desk.

The PRESIDING OFFICER. The Chair will state to the Senator that there is a motion pending now; and this motion is not in order until that one is disposed of.

Mr. TOWNSEND. I am not making a motion. I am simply asking for unanimous consent.

Mr. HITCHCOCK. What is the request, Mr. President?

Mr. TOWNSEND. To fix a date for voting on the Volunteer officers' retired-list bill (S. 392), which is the bill now before the Senate. The motion pending is one which would displace it. I am asking for a date upon which to vote.

Mr. SMITH of Georgia. Mr. President, I am sure the Senator from Florida [Mr. BRYAN] will object to that consent at this time, and for that reason we are wasting time to call the roll. We will call the roll, and he will come in and object. He stated to me yesterday that he would not consent to it; that he was going to object.

Mr. TOWNSEND. The Senator from Georgia does not object?

Mr. SMITH of Georgia. I am not objecting at present. I have not heard it read.

Mr. TOWNSEND. I ask to have it read, Mr. President.

The PRESIDING OFFICER. The Secretary will read the proposed unanimous-consent agreement.

The Secretary read as follows:

It is agreed by unanimous consent that at not later than 2 o'clock p. m., on Thursday, January 11, 1917, the Senate will proceed to the consideration of S. 392, a bill to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War Volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other pur-

poses, and at not later than 5 o'clock p. m. on said day will vote upon any amendment that may be pending, any amendment that may be offered, and upon the bill through the regular parliamentary stages to its final disposition; and that on the said day of January 11, 1917, no Senator shall speak more than once or longer than 15 minutes upon the bill, or more than once or longer than five minutes upon any amendment offered thereto.

Mr. SMITH of Georgia. Mr. President, I ask the Senator not to press that request at this time. If we can get through with this resolution indorsing the President, and have a couple of days' opportunity for debate clear, I will not object to a consent order to vote upon the Senator's bill. I say I will not object if we have two days of clear debate ahead of us.

Mr. TOWNSEND. I had understood the Senator to say that he would not object.

Mr. SMITH of Georgia. I say I will not object if we have a clear two days' debate ahead of us. At present I do not know when we are going to be allowed to vote upon this resolution with reference to the President's letter; and until we see what direction is given to that matter I would rather the Senator would not press his request for consent, but I think we can consent a little later.

Mr. TOWNSEND. I understand the Senator, then, to object now?

Mr. SMITH of Georgia. I do not want to object, but if the Senator presses his request now I will. I do state, however, that if we can have a clear field for two days of debate upon the Senator's bill I will not object to consent; and I will not take time in discussing it in such a way as to prevent a vote.

Mr. TOWNSEND. Of course the Senator understands that the order proposes five full days.

Mr. SMITH of Georgia. No.

Mr. TOWNSEND. Yes; it does.

Mr. SMITH of Georgia. We may not get any of them.

Mr. TOWNSEND. There are five legislative days between this and the day fixed for the vote in the proposed agreement.

The PRESIDING OFFICER. As the Chair understands, objection is made, then; is it?

Mr. SMITH of Georgia. Yes.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

PEACE OVERTURE.

Mr. LEWIS resumed and concluded the speech begun by him yesterday. The speech entire is as follows:

MR. LEWIS'S REPLY TO MR. LODGE.

SUBJECT: RESOLUTION OF INDORSEMENT AND APPROVAL OF SENDING PEACE NOTE TO WARRING GOVERNMENTS (S. RES. 298).

Mr. LEWIS. Mr. President, I rise to reply to the address of the Senator from Massachusetts [Mr. LODGE]. I reply at once, upon the moment of his conclusion, that I may set the Senate right on what I feel to be the only question that is before it for its immediate consideration. It is no purpose of mine to impose upon this body, which has been more generous to me than my deserts ever called for. A physical weakness, due to late illness, may cause me to proceed at times not wholly audibly. I trust no Senator will have any hesitancy to let me know of such, in order that I may aid him in hearing what it is my purpose to say.

Mr. President, we have all listened to a very edifying discussion from a very eminent Member of this body, the Senator from Massachusetts. It has contributed information brought from his long service in this body, to which there were contributed the results of his acknowledged learning.

But, Mr. President, I am strongly impressed with the fact that many of the things discussed by the able Senator from Massachusetts are far afield from anything that needs to be considered by this body upon the mere resolution of the Senator from Nebraska. I am inclined to warn my colleagues, if I may be pardoned the audacity, against being taken away from the just consideration of the only thing that is properly before them by expressions of convictions that may relate to other matters of interest, perchance, but not now necessary for present consideration.

May I be bold enough to remind the eminent Senator from Massachusetts that a distinguished predecessor of his—to whom he is a worthy successor—Daniel Webster, on the floor of the Senate, replying to Hayne in the great discussion which preceded that deplorable holocaust of our Civil War, reminded the body that when a mariner had found himself far out upon his waters, he turned to his chart, to his compass, to get his bearings, and from those set again anew his sails. I trust the Senate may agree with me that it will be a rewarding diversion for us to turn to the chart and from it see from where we are sailing and to what port.

The resolution, Mr. President, presented by the Senator from Nebraska, which is the only thing now for the consideration of the aye or no of this body, reads with clearness and exactness:

Resolved, That the Senate approves and strongly indorses the action taken by the President in sending the diplomatic notes of December 18 to the nations now engaged in war suggesting and recommending that those nations state the terms upon which peace might be discussed.

Mr. President, where is a sentence, aye, or a word, in this the only question before this body which calls for the approval of any of the propositions of the message of the President or invites this body into the consideration of their effect in the present status or in the future condition of the world? Where is there a word in this resolution from which the distinguished Senator could have asserted that there is before this body at this time a serious obligation imposed upon it by the resolution "to take all the risks of world complications" which he has so graphically pictured; where any phrase bringing us to the consequences which he fears or embarks us on all those unprecedented courses for which before in the history of our Government there is no parallel? The act of sending the note is what we approve—not the solutions suggested in the note.

Mr. NORRIS. Mr. President—

Mr. LEWIS. I will yield gladly to the junior Senator from Nebraska.

Mr. NORRIS. I wish to ask the Senator in view of what he has just said if it is his contention that the passage of this resolution does not approve by its terms the note except wherein it suggests or recommends that the belligerent nations state the terms upon which they will agree to peace?

Mr. LEWIS. I reply to the able Senator from Nebraska by saying that I read the resolution as one that only "approves and strongly indorses the action taken by the President in sending the notes," which notes are described as being those which suggested and recommended the nations to state the terms upon which peace might be discussed.

Mr. NORRIS. I do not think the Senator quite answers me. Perhaps he did not quite gather what I referred to, or perhaps I was not quite plain. I judge from what the Senator has said that the words in the resolution as follows, "suggesting and recommending that those nations state the terms upon which peace might be discussed," describe the only part of the note that we would approve by our action. I concede that we might put that construction on it, although as I have looked at it, it seemed to me the words were rather descriptive of the note itself than that we intended to go no further than approve that part of the note. I think the Senator will admit that there were other things in the note besides that. I wanted to know whether the Senator put that construction on it, and whether in his judgment if we pass the resolution unamended we would by our action only approve that part of the note which suggests and recommends that those nations state the terms upon which peace might be discussed.

Mr. LEWIS. Mr. President, I reply to the Senator from Nebraska that I am compelled to differ from both his premises, reading the note as I do, and yet I confess that he is correct in saying that the construction which he puts upon it is permissible from the viewpoint that one might take from first blush. I reply that this resolution neither assumes to approve the calling for terms of peace nor does it assume to ask this body to approve the other portions of the message as on the phase of a world peace alliance upon which the Senator from Massachusetts has adverted. My contention is that the resolution in its very plain words imposes upon this body the sole duty of approving or not approving, indorsing or not indorsing, the action taken by the President in sending the note, asking that peace shall be entered upon in some form of consideration.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER pro tempore. Does the Senator from Illinois yield further to the junior Senator from Nebraska?

Mr. LEWIS. I yield to the Senator from Nebraska.

Mr. NORRIS. Does the Senator think, then, that the adoption of this resolution would mean the approval by the Senate of everything contained in the note?

Mr. LEWIS. In no wise whatever do I construe this to be a resolution asking the Senate at this time to approve the matters defined in the note. Knowing the ability of the distinguished Senator who presented this resolution, I can not but conceive that he recognizes that our time for approval of the contents of the note or of the terms of peace are after they have been carried into some effect and submitted to us for ratification, either upon our request or in the course of legislative procedure. I therefore reply to the Senator that to my construction this resolution does nothing more nor goes further than merely to approve the President of the United States in send-

ing a note which asks for such terms or to suggest such terms as might bring about peace. It does not assume to ask this body to enter into the terms of the note, to approve of the terms specifically or otherwise.

Mr. NORRIS. Then, as I understand it, the Senator's view is that the passage of this resolution by the Senate does not put the Senate on record as approving the contents of any note but simply approving the fact that a note has been sent.

Mr. LEWIS. The Senator has correctly stated my position.

Mr. BRANDEGEE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Illinois yield to the Senator from Connecticut?

Mr. LEWIS. I yield.

Mr. BRANDEGEE. I was going to ask the Senator if he would approve the sending of the note utterly irrespective of what it contains?

Mr. LEWIS. For myself, I approve of all that it contained; I approve the action; but I am answering the distinguished Senator from Nebraska as to what this imposes on the Senate. It does not call for the Senate to do that which I have done, approve the action and approve the contents, and it only approves the sending of the note, which did call for the suggestion of some terms upon which peace might be reached.

Mr. BRANDEGEE. The Senator, then, wants the Senate just to approve the dropping of it in the post office, irrespective of what was in the note?

Mr. LEWIS. The Senator's assumption that this is a mere approval of dropping it in the post office assumes two facts—first, that it was dropped, and, second, that it was in the post office. I will not admit the premises. [Laughter.]

Mr. NORRIS. Mr. President—

Mr. LEWIS. I yield to the Senator from Nebraska upon a more serious suggestion.

Mr. NORRIS. The Senator puts the construction upon the resolution that it does not commit the Senate to any other thing stated in the note. Would he object, then, as an amendment to the resolution, to a proviso which in substance will provide that nothing in the resolution contained shall be construed as an approval by the Senate of the contents of the notes?

Mr. LEWIS. Permit me to say to the able Senator it is not my resolution. I do not feel that I should express any assent or dissent as to what amendments might be offered to it. When such is tendered and the Senator who is the author has expressed himself, I will then assume to express, if I feel I should, any view I have on the amendment. I trust the Senator will pardon me at this time, as I do not feel I have the liberty to accept for his colleague an amendment.

Mr. President, then I turn to the only question, as I see it, which is before the Senate, and that is this resolution calling merely for the approval of this body of the sending of a note asking the belligerent nations to suggest some terms upon which peace might be reached.

Mr. President, I want to address myself now to the observations of the Senator from Massachusetts upon a phase which I regard as serious and worthy both of his comment and of the conclusion which he draws. If this resolution, as the Senator deduced it, contains matters which involve us in the politics of Europe, I would agree with his dissent. If it involved us in a possible conflict with the European countries, I would agree with his protest and join him in opposition to this honorable body entertaining it.

The Senator says, drawing his deductions from what he assumes is involved, that it would plunge us into European politics, that "we would be found involved in complications in European affairs," and from that assumption he accurately concludes that it would lead us to serious conflict of a warlike nature.

Mr. President, I not only join the able Senator in the condemnation of any such course on the part of this Government, were it contemplated, but I must remind him that the party for which I speak, the men on this side of the Chamber who honor me in allowing me at this moment to be the spokesman of this side—these men and the party for which they spoke in the last controversy of politics before this Nation—were constantly presenting to this Nation the great evil there would arise if this our country under any pretense, inspired from any sources, involved itself in the conflict in Europe. We pointed out to the world the danger to America, we illustrated to our fellow citizens the great injury that would befall us; how war would ensue, death to millions of our children, and disasters to the Nation. And yet, sir, it must not be forgotten that it was such distinguished gentlemen as the eminent Senator from Massachusetts and his eminent friend and personal colleague, former President Roosevelt, who impeached the Democracy before the Nation and indicted to the condemnation of the country the President of

the United States because neither would enter into the affairs of Europe and involve this country in the very destruction which the able Senator said would follow intruding ourselves into European affairs. Specifically were we indicted because we did not interfere to resent the invasion of Belgium. We were held up throughout the Nation by the distinguished Senator and his party colleagues as having shown cowardice on the one hand and lack of statesmanship on the other in not immediately going to war with countries in Europe to punish the nation which "violated"—"brutalized" Belgium.

Now, the able Senator freely confesses that the very entrance even by mere declaration on the part of the Senate—apart from action such as then was insisted was our duty—would involve us in consequences so serious in their nature that he forbids the body to enter upon so disastrous a course, even by adopting a formal declaration of a policy.

I concur, sir. I approve here the course that the President took previously, the attitude the Democracy took, the decision of the country upon it, and concur with the Senator from Massachusetts that did we embark now upon the course we refrained from, the consequences would be visited upon us as he depicts. Sir, I may be permitted to recall how we, the Democracy, had to stand as a phalanx and endure the assaults of those distinguished gentlemen represented by the Senator who held us up as unworthy of the indorsement of our countrymen or the respect of the world for not doing those very things which he now confesses would lead to our undoing.

Mr. President, I charge that the able Senator from Massachusetts, in his splendid discussion, confuses the thing that is not before the Senate with that which is. First, the Senator says that the resolution is in violation of precedent and, as he sees it, in opposition to the established custom touching the transmission of international notes. He would have us reject the resolution on the ground, among others, that it is an innovation; that it is in violation of all the established precedents which govern similar and previous courses in international affairs. Says the Senator, as a part of his impeachment, that it would have been our duty to "sound the belligerents before such a note should have been sent."

Mr. President, the Senator, though learned in international law, confuses the doctrine which applies to the suggestion of mediation with that which does apply to a mere tender of good offices.

The Senator from Idaho [Mr. BORAH] yesterday correctly defined the note when he said by its very terms it neither proposed mediation nor dictated peace.

This note on its very face merely tenders, Mr. President, the good offices. When, sir, good offices are tendered it is not customary—though permissible—to first sound out the parties. The contrary course is that in merely tendering the good offices it is done *ex meru motu* and oftentimes without knowledge of the action previously announced, lest opposing interests averse to peace would be busy to intercept the adoption of the tender.

I ask your attention to the observations of the writer on international law, Oppenheim, which are important in that he incorporates a composite definition from the many authorities he cites, saying:

When parties are not inclined to settle their differences by negotiation, or when they have negotiated without effecting an understanding, a third State can procure a settlement through its good offices or its mediation, whether only one or both parties have asked for the help of the third State or the latter has spontaneously offered it. * * * It is during war in particular that good offices and mediation are of great value, neither of the belligerents as a rule being inclined to open peace negotiations on his own account. * * *

Diplomatic practice frequently does not distinguish between good offices and mediation. But although good offices can easily develop into mediation, they must not be confounded with it. The difference between them is that, whereas good offices consist in various kinds of action tending to call negotiations between the conflicting States into existence, mediation consists in a direct conduct of negotiations between the differing parties on the basis of proposals made by the mediator.

Therefore the able Senator condemns this note by those precedents and doctrines which apply to tenders of mediation, which in themselves propose the terms upon which the others should agree to peace.

Mr. President, in order that the able Senator may realize this, I call his attention to a matter with which he can not be unfamiliar, historian that he is, with a view of establishing that the President of the United States has performed with exactness a duty strictly along the lines of the established precedents and not at all in violation of them. In 1812, when war was between the United States and England, Russia tendered her offices as mediator; and, notwithstanding the fact that Russia at that time was in an alliance with England, England through Lord Castlereagh declined her offices. Sir James Mackintosh, it will be recalled, announced that the rea-

son of the refusal was because Russia tendered herself as mediator, and not her good offices.

Thus it must be plain that the distinction is clear, which the Senator must have overlooked. The Senate will recall that in 1835 Great Britain presumed to mediate the dispute of the United States and France over the spoliation treaty. No notice was either given to France or the United States; yet, of this offer, Jackson, who was then the President, said in his message of February 22, 1836:

Of the elevated and disinterested part the Government of Great Britain has acted, and was prepared to act, I have already had occasion to express my very high sense.

In 1838 the United States instructed its minister at Paris to acquaint the French Government of the readiness of the President to afford assistance in his good offices to bring to an end the controversy between France and Mexico. This without any previous notice to either party or to their ambassadors. The President said that he "would feel no delicacy in tendering his good offices, and was only then deterred by the knowledge that the British Government had offered its mediation."

You will observe, therefore, Mr. President, whenever we tendered good offices we did it as the President of the United States did it in this case, without sounding, without information, to the parties previously.

But, Mr. President, we will have occasion to note with much more interest the precedents cited by the able Senator against us. Says the able Senator from Massachusetts, that there is the precedent of 1860 and 1861. The Senator refers to an effort made on the part of the Governments of Europe to intrude themselves into the Civil War between the States. He says that such suggestion of offices of peace was rejected on the part of the United States. Mr. President, upon casual reading it would appear to the ordinary person that the historical incident cited by the able Senator was a parallel, and would serve to impeach in its course the conduct of the President of the United States in this particular instance. But, sir, I must invite the Senator that here again he has confused a situation—a tender which in no wise is a precedent or affording in any wise a parallel to convict the President of the United States of having conducted the matter before the Senate in any irregular form whatever.

What, sir, were the circumstances of the rejection by us of England's advances? I beg to call to the able Senator's attention that, first, when the Civil War was on there had but six months of conflict expired when England had already given indications of her willingness to aid the South in secession. She had extended both her sympathies and her approval to the seceding States. She was therefore no longer neutral. Her attitude was known to all our Government.

Then the able Senator will remember that, through one of her officials, she was bold enough to suggest that the war between the States be settled upon a theory of what she contended was a previous expression of Mr. Lincoln—of allowing certain States to hold their slaves, and suggested through this official that that policy be presented to us, which would have recognized limited slavery in America. These things could not be without the knowledge of Mr. Seward; they could not be without the knowledge of President Lincoln.

Then, sir, what was her international attitude? It was not to tender their good offices. Surely the able Senator must recall it was that they offered to mediate; they tendered themselves—both France and England—to mediate, and themselves offered terms of peace between the States.

Sir, France previously to that had clearly indicated through one of her officials that in the discordant condition of our severed States it would be a timely occasion to recover much that was lost to France in the Louisiana Purchase; and one officer of England boldly proclaimed that in our dissensions Canada would be able to recover all of that country in the American Northwest called the Oregon country which had been lost to England in the diplomatic dealings between the United States and England. Sir, these may have been impetuous and unauthorized declarations, yet, sir, do you not recognize that with this knowledge, how impossible it was for the United States to accept these intercessories when they offered to mediate, presenting their terms of peace, when it had been charged that on the part of one the terms were secession and slavery and on the part of the other an opportunity to acquire what had been lost them through negotiation and diplomacy on the part of the United States? Then, sir, it was because of that that the United States declined any suggestion whatever of mediation.

Referring to a letter of Charles Francis Adams in his autobiography, let me read that which time did not give the Senator opportunity to read, that which specifically Mr. Adams calls

attention to; the fact that in the communication from Mr. Seward the expression was "if these nations shall intimate to you, *interfering in our internal affairs.*" I appeal to the Senator that he has inadvertently misquoted the history of the time that he might thus give to the country color to the plea that a Democratic President was ignorant of history, of parliamentary procedure, and of international law on the one hand, or defiant of the proper course to be taken by America on the other.

Mr. President, there can be some excuse for a Senator, rising on the floor in the heat of debate or when summoned at the moment, either misinterpreting or misstating historical matter or that which is registered in the books, but there can be little excuse on the part of learned men who, with previous convictions on the one side of a controversy, proceed to justify them to themselves by condemning the officials of an opposing party as lacking knowledge of the preceding events that should have guided conduct, and offer to sustain their contentions by that which was clearly without application, or, in so far as it did apply, was a misconstruction in all its terms.

Mr. President, I am not interested much as to whether the President of the United States conformed to precedent or whether he did not. So far as I am concerned, sir, I charge that of all offenses which have been committed against liberty and justice in America there have been none greater than that idolizing of precedents which have no application to modern events and which slay the spirit of things by too much adherence to the letter. Yet, sir, if the President of the United States is to be adjudged before the country when indicted from such eminent sources on the ground that all of the precedents of the past in a matter similar to that which he has transacted have been violated, then I rejoin that there must be stated the truth to the historical fact in order that men may judge the President accordingly by it, truthfully and justly.

Then, Mr. President, the able Senator calls attention to the fact that when Germany and France were at war there was a suggestion made of peace through the United States in one form or another until it reached our minister asking that the United States should intercede; that this was by us repelled. I must say that there the able Senator again leaves the record in a condition most misleading if it is tendered as a precedent that shall serve to denounce our action now. I invite the Senator's attention to history, assured, as I am, that his knowledge will justify me. The war between France and Germany of 1870 and 1871 had proceeded at length. Then came the suggestion not that we tender our good offices as the President has done in this case, but that we join with European powers in offering mediation. It was this, which was so violative of all the policy of America joining with European powers in a matter that might lead to terms of peace which would pledge us to enforce them afterwards. This was the thing that was declined by our Government. President Grant in his message adverted to this and called attention specifically to the fact that he was compelled to decline, because it would have been in violation of the whole policy of this Government to have entered into negotiations in conjunction with foreign countries and make ourselves an ally with some of them and participators and mediators in partnership with kingdoms of Europe. Is there any parallel between that and the present case? I answer none. Then, sir, let it be remembered that Mr. Washburne, our minister then in France, in his declaration sent to this country, said that the whole subject matter was declined because it was a "contest over dynasties," and, as it was such a contest, our country could not enter with Europe to decide which dynasty of Europe should control. Is that any parallel to the present situation of our offer? I again answer no. I must insist that the very able Senator has confused these precedents if he can fancy in them in any wise whatever an application and parallel to the instance that is now before the Senate.

Mr. President, I call the attention of the able Senator to the letter of Secretary of State Fish to Bancroft, our minister succeeding Washburne, and invite his attention to the fact that in that very communication specific direction is given as to what especial course we should refuse. He says to the minister:

If the British Government shall in any way approach you, directly or indirectly, with propositions which assume or contemplate an appeal to the President on the subject of our *internal affairs*, whether it seems to imply a purpose to *dictate* or to *mediate* or to *advise*, or even to *solicit* or *persuade*, you will answer that you are forbidden to debate, to hear, or in any way receive, entertain, or transmit any communication of the kind. You will make the same answer whether the proposition comes from the British Government alone or from that Government in combination with any other—

There alluding, no doubt, to the attitude that had been taken by France.

If you are asked for an opinion of what reception the President would give to such a proposition if made here, you will reply that you

are not instructed, but that you have no reason for supposing it would be entertained.

Mr. President, I think we must see that in all the precedents cited by the very able Senator there is no parallel to either; there are no precedents in any; there is nothing to impeach the course taken by the President, which was merely tendering his good offices, and that by the United States alone.

Mr. President, I now call the attention of the Senate to a corroborative historical fact. It is that immediately after we had declined to enter into an arrangement with the nations of Europe as joint mediators we promptly, in one year thereafter, in 1872, expressing ourselves to the Governments of South America through Secretary Fish, the same Secretary, serving under Grant, previously declining to mediate in Europe—Secretary Fish in his note to Mr. Clapp, the special envoy of our Government to Bolivia at Buenos Aires, referring to the difficulties between Brazil and the Argentine Republic—which also involved Bolivia and Paraguay—said, voluntarily, sir, without consultation with either Government and without sounding either:

The Government of the United States feels a deep interest in the permanent peace and prosperity of the South American States, and will not refuse to exercise such influence as may be proper to secure an amicable settlement of the difficulty which has unfortunately arisen among some of those countries.

Mr. President, can there be a misunderstanding of the justification of the President sending this note—or, sir, of the situation in Europe which he seeks to end? Can anyone of all Christendom fail to see what this condition of martial array means to the world? Behold, my colleagues, those armies as they stand confronting each other, awaiting the order for extermination! Do you realize, gentlemen of the Senate, that there are more men prepared and ready for encounter to the death, summoned to the war fields of Europe, than were marshaled in the whole world of conflict from the downfall of Rome 400 years after Christ to the invasion of England by the Normans in the year 1000? Do you appreciate that there are more armies and men awaiting the order of decimation and destruction than were in all the combined armies of the earth as recorded in history from the time of Waterloo to Appomattox? Can you realize that the navies cradled in the seas from the Baltic to the Bosphorus, straining upon the leash of their anchors, fretting to consume each other, are more in their fighting force than the combined navies of all the earth in all the conflicts in all the time from the Spanish Armada in 1508 to Trafalgar in 1805, and more in power than all the combined fleets of the whole civilized earth in all the battles of naval conflict from Trafalgar to Manila Bay in 1898?

Surely, the scholar of the day, or the casual man of the times, would charge it as recreancy on the part of any man in power if he could have spoken to avoid the result of this annihilating collision had he failed to do so.

Then, sir, what are the good offices that the President of the United States, in such surroundings, submits? It is not, sir, that we submit terms of peace to the belligerents; not that we ask them to submit their terms to us; nor that we ask them to join at this particular time with nations other than themselves. We merely ask them that they shall among themselves, only to themselves, propose between themselves anything which to either would be satisfactory as the terms of peace. How else would terms ever be arrived at in any conflict? From the pettiest lawsuit which arises in the puny courts to the conflicts arising to the dignity of world affairs there must be the approach on the part of some contestant by the expression of that which would satisfy before the other would know whether it could be accepted or rejected.

Has any other course been attempted here? Might I not ask the able Senator, as I would anyone else, in what way would peace ever be had in all the period of time if it shall not begin in the only way in which peace ever begins, by an advance through some one in behalf of those engaged in the conflict? If the position of the able Senator be well taken, then, sir, I do affirm that there can never be an hour when any man in any place could appropriately approach the question of peace. There would be none to whom he could submit the desire. There would be none to speak for those who would have the desire. There would be no agency to initiate in the world. Parties would be left to the conflict to the interminable end, until death was the inheritance of all, and the spectacle of civilization in destruction to be all that was left of mankind.

But, Mr. President, I pause here to recall that the able Senator from Massachusetts found it agreeable, at this time and in this portion of his condemnatory remarks, to criticize President Wilson and Secretary Lansing for a matter which, if well taken, was so beside the great discussion which he had entered upon

that I marvel that so great a mind could have descended to such an infinite particle. Says the Senator: "Here in his message the President says that neither of the belligerents had ever submitted their cause of war in detail to definitiveness." Correct the reading was; and then said the Senator, by way of parenthesis, as if he could not resist the opportunity of hissing that sarcasm which is so famed in this body and so effective at times—said he: "It is not customary to criticize the course of those with whom you expect to negotiate and of whom you are asking peace; but," says the Senator, "of course in the new dispensation such seems to be permissible."

Indeed, Mr. President, the words of the President of the United States which were the subject of this flash of cauterizing satire on the part of the distinguished Senator were these: "That there had not been stated concretely and definitely the exact terms for which each was contending," and then he added that in a general way they had been stated. Yet it was because of this that the Senator could not resist the opportunity afforded him to make his criticism personal upon the Secretary of State and the President as those not only wholly lacking in information as to the precedents of international law, but of good manners and good form.

Mr. President, I am not here to offer defense of the President of the United States in a matter touching his private conduct in dealing with his fellow man. I must assume that the history of his life, as recorded in all his acts, answers this, and that the altitude he occupies as an educated gentleman before the civilized world refutes any necessity of an advocate. Nor shall I enter upon any defense of the Secretary of State, Mr. Lansing, as to the manner of his compilation, his composition, or his method of presentation of a state paper. But this much I beg to call to the attention of the able Senator, that if criticisms are to be indulged as to the want of proper delicacy on the part of officials who are of the state diplomacy, then I am delighted, sir, certainly content, to make comparison between this paper and its method and that other form of diplomacy indulged under President Roosevelt, when with the form of a bludgeon a nation could be seized and ravished of one of her children, and the act justified upon the ground of power enough to enforce it, which deed of saw-and-ax diplomacy cost us millions on millions and now to cost more and more in our money and much in the friendship of all South America. Or, sir, of that Secretary of State, not long since in office—and an official colleague of the Senator—who, while treaties submitted by him to the Senate were pending before this body and while he was seeking the approval of the Senate of them, could find it agreeable to write letters impeaching the integrity of intention on the part of some Senators and impugning the veracity and intelligence of others. A late biography of a distinguished former Secretary of State is too fresh in the minds of eminent Republican Senators not to recall that when one enters upon the field of disquisition and criticism of niceties of conduct of a Democrat, merely because he is such, they might have reflected and seen themselves as others see them, and then observed in the words of Hamlet, "Look upon this picture, and now upon that."

Sir, I have nothing to reply to the able Senator's definition of our administration as "new dispensation." I do not know exactly to what he refers, unless he refers to the new public practices that are now in vogue in the Government—that is, by the order of the new administration. If this is what he means, then I admit, sir, there is a new dispensation, and if my humble approvals are heard in the chancellery of heaven I thank God that there is this new dispensation. I find a pleasure in dwelling, sir, for a moment upon the fact that our whole country has welcomed this new dispensation. This dispensation that has ushered in a new era when no longer a few chosen ones are allowed to distribute among themselves the privileges of the Government, when no longer diplomacy is conducted through such secret methods that the Government may be involved in consequences of danger and loss of honor without any knowledge on the part of its representatives of the acts or of the results until too late to avert either.

I welcome the fact that there is a new dispensation that speaks bluntly, forcibly, truthfully, and no longer indulges in the subterranean intrigue of falsehood and pretense to achieve that which only open justice in a democracy should ever accomplish. But I can not resist calling to the able Senator's attention the fact that this new dispensation, twice submitted to his country, returned in 1914 the largest Democratic majority to this Senate it has ever known since it was constituted, and, sirs, that with international affairs and the method of our dealing with them before all America; and, sir, in the second and last controversy over this new dispensation, in which the distin-

guished Senator daringly and brilliantly led the assault upon us, the Nation evidenced its approval by a plurality of more than 500,000 of citizenship, surely testifying that the new dispensation has received the approval of the country as a dispensation of justice to man, profit to the Nation, and glory to the Republic.

Mr. President, the able Senator, however, has now another objection which he urges to the imaginary resolution which his splendid faculties invent as being before the Senate. Says he: "This message has been construed in many quarters to be favorable to Germany."

Mr. President, it may be so. I can hardly imagine any document, in a crisis like this, that would not receive its construction from one side or another. There are always those interested from one viewpoint or the other. There can be no expression on the part of a judge in a trial of a cause but that one litigant can see an aspect against him or for him, and the friends of the litigant indulge that sympathy of construction. Surely, then, there can be no expression from the President of the United States upon a matter so grave as this but that those interested could readily draw from it a construction, and thus indulge the construction by making accusations. But if all of that be true, Mr. President, shall that defeat the purpose, merely because there might arise a construction on the part of those who find it gratifying to themselves to indulge it? Shall this prevent the undertaking? If that were so, there never would be a time, I must say to the able Senator, when anything whatever could be undertaken, anything whatever be begun, because everything would be susceptible of construction one way or the other.

Now, I say to the able Senator, let us reverse the situation and assume a paper probably issued by himself, meaning ever so well the neutrality which he professes here is the creed of his action; but were it issued by the able Senator, will he deny that there would be those who would promptly say, "On its very face it is intended to favor the allies"? Could anybody hear the distinguished Senator's observations, if they desired to be unfair to him or to misunderstand him, that could not impute to his message that form of construction? And yet, shall every effort he would undertake to bring about peace by making a suggestion be wholly withheld because of fear that the other extreme of construction might be applied?

Sir, I can not accept such a reason why the message should have been withheld, why the expression should not have been given forth, and why the effort, sir, should not have been undertaken. Yet the Senator says that it is construed in behalf of Germany. I must say to the able Senator that I can see, in that observation of his, the real reasons for much of his opposition. There are those who have allowed their race prejudice so to overcome their sense of justice that they can see nothing in the effort to obtain peace but some result that may serve in some way to favor Germany. There are those who, feeling that peace might inure to the benefit of Germany, would rather defeat it than to have it. As we see from the distinguished friend of the Senator and eminent statesman, the ex-President of the United States, Mr. Roosevelt, in his declaration of this morning, he, too, finds the same construction, and for such reasons only, if we read aright, would defeat the peace of the world. They would rather have no peace than one that might inure to the benefit of one of the nations, Germany. Surely, sir, such is not the spirit in which we should approach the discussion upon this resolution, a declaration which only seeks to approve the efforts on the part of the President to bring the nations together that they may speak among themselves for peace to the world and justice to their people—"a consummation devoutly to be wished."

Mr. President, I want to thank the Senators for moving that I be allowed to break my reply address, as my physical health called for some rest. I appreciate the consideration voted me.

I turn my attention specifically to the remaining reasons urged by the Senator from Massachusetts [Mr. LODGE] why this body should not adopt the resolution tendered by the Senator from Nebraska [Mr. HITCHCOCK]. I refer now to those objections not met by me yesterday before recess.

First, I should like the attention of the junior Senator from Indiana [Mr. WATSON], if he should be in the Chamber. I understood the junior Senator from Indiana to ask the able Senator from Massachusetts during his address if there had been any resolution tendered on the floor of the Senate approving the action of President Roosevelt in the note sent to effect peace between Russia and Japan. If I did not misunderstand

the Senator from Massachusetts, he said that there had been no such resolution, and that he had never heard of resolutions of that kind in a legislative body; and sincerely and with great force he presents his objection to this resolution on the ground that this resolution, among other things, offers an innovation in that it brings the legislative body in concurrence with Executive action in the tendering of good offices and mediation previous to the acceptance of such. It was this course which to the Senator's judgment was a violation of good legislation on the one hand and of just form and propriety between the Executive and Congress on the other.

I beg to say, Mr. President, that the able Senator either had forgotten the history of his country or for the moment was not advised. I ask the attention of the Senate while I call attention to the proceedings in the administration of President Johnson. I read from the diplomatic correspondence, which contains the matter sufficiently to avoid repetition by reading the legislative proceedings.

The letter from Mr. Seward, then Secretary of State, to our minister, Mr. Hale, representing us in South America, is as follows:

DEPARTMENT OF STATE,
Washington, December 20, 1866.

SIR: It is known to the belligerents that the war which has for some time been carried on between Spain and the allied Republics of Peru, Chile, Bolivia, and Ecuador is attended with deep concern to the people and Government of the United States. On more than one occasion the President has called the attention of the belligerents to this interesting fact and has rendered such good offices as seemed practicable with a view to bring about a pacification. These tenders have not hitherto been definitely accepted by the parties. The House of Representatives of the United States, concurring with the sentiments of the President, on the 17th of December, instant, adopted the following resolution:

"Whereas wars destructive of commerce and injurious and prejudicial to republican institutions have for some time been carried on between Spain and several of the South American States on the Pacific coast, and also between Paraguay and Brazil, Uruguay and the Argentine Republic on the Atlantic coast: Now, therefore, Resolved, That it be, and hereby is, recommended to the executive department of the Government that the friendly offices of this Government, if practicable, be offered for the promotion of peace and harmony in South America."

The President is thus called upon by the most numerous branch of the legislative department of the United States Government to renew the efforts which he has heretofore made. I have, therefore, the honor to submit, by means of this circular letter—

A copy of the resolution.

Mr. President, I beg to call attention to the fact that preceding the introduction of this resolution in the House of Representatives the President of the United States had tendered his offices to Spain and to South America. The offices had not been accepted; and while the matters were pending, and before there had come any conclusion, and when it appeared to have lapsed, the House of Representatives passed a resolution in two forms—one approving, tendered by Mr. Bingham, which was passed unanimously, and then the second resolution, requesting the President to resume the subject, and then tendering its approval of his efforts of mediation.

Therefore it can not do to have it go out to the country as a fixed fact that the procedure attempted here is without precedent, and that it is such an innovation that it is equivalent to intruding the legislative branch upon the executive work without any previous precedent or authority in the legislative records of our Nation, and that for such breach of established custom should be denounced.

Mr. WATSON. Mr. President—

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Illinois yield to the Senator from Indiana?

Mr. LEWIS. I yield to the Senator.

Mr. WATSON. The senior Senator from Massachusetts is not present; but I think the Senator from Illinois—quite unintentionally, of course—has quoted the senior Senator from Massachusetts entirely too broadly in the statement he has made. I am quite sure that if the Senator will read the report of his remarks as printed in the CONGRESSIONAL RECORD of the 3d of January he will find that the Senator from Massachusetts at no time and in no place made the assertion that there had been or was no precedent or that he had never heard of such a legislative proceeding as that now in contemplation.

If the Senator from Illinois will pardon me, in order that the RECORD may be correct, I will take the liberty of reading a few words that the Senator from Massachusetts did utter in that regard:

I do not remember that any resolution was passed by either House of Congress indorsing and approving the action of the President. The President was acting wholly within his right as Chief Executive, as the present Executive is acting, and it was not sought by him certainly to project the Congress of the United States into the negotiations, if

you choose to call them so, or with the good offices he had offered in hopes of bringing the belligerents together.

I feel that that statement should be made, because I know that the Senator from Illinois would not intentionally misquote the Senator from Massachusetts.

Mr. LEWIS. Mr. President, I accept the suggestion of the junior Senator from Indiana, but call his attention to the concluding portions of the very able Senator's address, where he inveighed against what he insisted was the great evil of attempting to intrude Congress in these matters, which, I am sure the Senator will recall, the able Senator from Massachusetts insisted had not a precedent or parallel, but was that he would have had us understand to be a violation of all the precedents of the past. But now I have brought to the attention of the Senate a condition very similar, and one which had received the sanction of the more numerous branch of the Legislature, as the Secretary under President Johnson says, so that we can readily understand, sir, that the action now before us is one highly sanctioned by most approved authority.

But, Mr. President, I have a more serious matter, apart from these precedents, as I have concluded with them. So far as the mere precedents are concerned, I would not have presented them at all, save that I could not accept the assertions of the able Senator from Massachusetts. I realized, or thought I did, that he was in error. But his very high position, because of his long service upon the Foreign Relations Committee, would incline the country to believe he must be wholly accurate by virtue of the opportunities he has had to become informed; and thus we on this side of the Chamber would have been held up as either being ignorant of the history of our country or, with knowledge of it, doing something in defiance of it.

Mr. President, I then have this to say, sir: There are the precedents; here are the distinctions; there are the established international laws—I may paraphrase the Roman:

Upon these stones I build a new temple, and cry out to the gods: "Let that of Janus be now closed."

Mr. President, here is the resolution. It is here now for action. I have sought to set forth all that it brings to the attention of the Senate. You are to vote it up or vote it down.

I then submit to the Senate the condition whether you would or would not have had this resolution is not a matter that I wish to enter upon now. That is fruitless.

It's an ill moment that dwells on things done,
As though to be undone when undoing can not be done.

Whether you believe this resolution precipitates the Senate into a new form of investigation or not, that, too, as I see it, is beside the inquiry. The question is what are you going to do with it?

Mr. President, the very debate on this resolution, brought about in its necessity by the opposition to its passage, has done more injury to this cause of peace which the President of the United States has sought to give impulse and force to, than any other form of opposition which has arisen from any source in all the United States. The very testimony presented from this body that there were those gentlemen eminent in the councils of the Nation speaking for great constituencies who found reasons of any nature to justify them to oppose encouragement of the President of the United States to bring about peace is an indication to portions of the world that there are men in our Republic who would find any reason satisfactory to avoid the peace of the world. They will ask themselves what motive could there be behind such, and these, thousands of miles distant from this Chamber, will reply that either it was because the power of those who make riches on war was so potent, even in this Senate, that they could continue war that they might benefit in the continuance of riches as a result of war, or, Mr. President, they will conclude the other, that race prejudice has grown so strong in this land, built up of all the nationalities now at war, that these distinguished representatives in this great tribunal were not able to divorce themselves from these influences far enough to give an encouragement to the President of the United States to bring an end to this universal slaughter of mankind. Then shall it be said hereafter that Senators in this body opposed the President receiving from his coordinate branch a mere encouragement of his efforts, a mere approval of sending his note soliciting peace, and tendering his own good offices to effect it. Shall this be said—when our action might have helped to stop the murder of men, the profaning of women, the starving of children?

Mr. President, the opposition to this resolution will be construed in those spheres of kingdoms and monarchies as indicating on the part of this body an expression of such partiality to one belligerent against another that we were content to con-

tinue the war merely for the object that it might beat down to destruction one of the combatants, that the victor might exult in the vanquishing of its foe.

Mr. President, I therefore must say to the Senate, as I see it, that though this resolution may not meet the approval of the distinguished Senators from the mere point of some legislative propriety, though to them it may offend against the thing you call precedent; aye, admit that it may not be anything which you yourself would have introduced, for reasons of your own; yet I must urge, Senators, that we are not dealing with a matter local to the United States only. This is not a matter where there is an issue only between our political parties at home. This is not a subject where there is a mere division between our fellow citizens in America. This resolution tendered here presents to you the interrogatory, will you before the world disapprove the action of the President of the United States, your President, in his effort to secure peace among the warring nations of the earth? All pretense of reason, Senators, all devious distinctions presented by you as your excuse for opposition, will all be lost sight of by those in the opposite part of the world, indeed throughout the civilized world, who will merely behold the result of your action. This, and this alone, will be the test of what was meant by your conduct. It was to defeat your President.

Some of you may not agree with the President of the United States in many public attitudes. Many of you may oppose the position he takes on things called political; but where is that valor and patriotism in the heart of an American which is always distinguished in the United States by the quality and the capacity to lay aside partisanship in matters of the welfare of our country against foreign opposition—where is it, if it can not be invoked in such an hour as this, and what shall be the test of it if it shall not be that you can surrender little differences of form and these grievances conjured up by prejudices in order to achieve the great result that is sought, of putting power behind your own President in his desire to give impulse to the movement of peace; not, sirs, in behalf of party, not in behalf of politics, but in behalf of humanity? His action is the action of the country. His voice is the voice of America, and she speaks this day as the ambassador of God for peace—that divine attribute which can ever be justified by whatever means the intelligence of Christianity may accomplish it.

Then, say I, Senators, what will you do with this resolution? What will you do with all the objections, conceding them to be well taken? Will you adopt them for the gratification of your opinion, for the pride of your idea, and reject your own country's effort while you hold your President up to where he will be, in the eyes of the world, repudiated by his own countrymen? Will you scorn your own President before the earth? Is there so little pride left in the bosom of America? Is there so little sense of patriotism abounding in the souls of America's children that we could do such a wrong? Surely if any man anywhere asks you to do such, would not you respond in the reply of that sacred source—"Is thy servant a dog that he should do such thing?"

Yet, says the Senator from Massachusetts, we must defeat this resolution, as he concluded his forceful presentation in behalf of his objections, and what reason does the distinguished Senator finally urge as the uttermost and most commanding? The able Senator found it agreeable to his sense of propriety to read a mere newspaper report of a speech of Count Andrassy, of Hungary, in which speech the count is reported to have said that terms of peace acceptable to Germany were in the hands of the President, and then to set forth to some degree the presumption of what the contents were. Mr. President, of that matter I have no knowledge. I have been educated in a profession that forbids hearsay testimony to be tendered against any person at all. I am strongly wedded to the doctrine that hearsay testimony of hearsay testimony surely would hardly be presented for acceptance by one recognizing those rules.

But if all this the Senator assumes were true, what of it? Why is that matter presented by the distinguished Senator from Massachusetts? My answer is that it was presented as corroboration of the previous assertion which the Senator made that these proposals of peace are to favor Germany and were construed in certain quarters of the Republic as having that purpose. The Senator read those extracts from the speech supposed to have been delivered to fortify his accusation; but, sirs, why make the accusation at all? It was for the object of having the country at large understand that the peace proposal of the President was at the instance of Germany, and that, too, notwithstanding the President's assertion in his message that

such was in no wise true. It was to give the country the impression that this move of peace was a purely partial undertaking, wholly in the behalf of one of the belligerents, and that Germany. The object was clearly on the part of the distinguished Senator to prejudice the impartial consideration of the cause. The Senator has a right to have a feeling personal to himself upon this subject. I concede that he has the right to espouse his feeling and express it at certain places.

But, Mr. President, I can not accept the purpose of the Senator as being one justified in this forum under the circumstances in which it was evidenced to my mind. Clearly the object was to awaken in this country an effort of opposition by those who are opposed to Germany, by those who are friendly in any nature whatever to the allies, all under the charge that this proceeding was in behalf of Germany, and by such accusation invite all these, whoever they were, to bring their combined influence on their Representatives and Senators to defeat the approval of the action of the President. It could have had no other service.

Never did the distinguished Senator from Massachusetts do a more adroit and artful piece of work than in that particular portion of his presentation. But it could not have escaped the sight of those who were viewing it; it could not have failed of understanding by those who were observing it.

Mr. President, I am not for Germany. I am not for the allies. I am for America! I am for those things which execute the policies of my country. But, sir, I would not let prejudice, if I had any for or against any one of these belligerents, influence me to stand against the peace that might be brought forth by any source to continue life to humanity and save it from universal death.

Mr. President, if it be true, as is charged in certain quarters, that the object of any one of these belligerents is to establish a military despotism upon the present institutions of liberty, then I abhor it. I would despise and fight any people or government in any part of this world who would slay the institutions of civil liberty, that upon its wreck it might build the empire of militarism. But because there are those who make the accusation I can not condemn a whole nation of people.

Then, sir, says the Senator as to these proposals of the President, whatever they are, that if this resolution shall pass here it will approve the proposition for peace, and the Senator says this proposition of peace, if accepted and yielded to, would mean but a temporary peace. Mr. President, if I could concur with the able historian and distinguished Senator from Massachusetts I would say, in the language that assailed the ghost, "Avaunt! thy specter is frightening."

But I hold just to the opposite. Mr. President, speaking for myself, I can never subscribe to the doctrine that permanent peace can ever be had by beating down a people either with war or hunger until the very last of its children in subjugation must surrender to avoid destruction. That does not make peace. It was Tacitus who paraphrased the Egyptian when he said, "Ye make a desert and call it peace." I hold, sir, that it is only when a people are encouraged both in the overtures as well as the measures of peace—encouraged, Mr. President, to survive, to live and feel that the star of friendship is hovering just above them, that it may again light their paths to a future of joy and love, that peace can be assured as permanent. I can not believe that there can ever be a permanent peace to any country when it shall have been beaten down to such desolation and degradation that it must swear its children, as Hamilear did Hannibal, that to those to be born there should be the oath to recover the lost pride and to avenge the suffered humiliation.

Sir, it is that that has brought the very present war of the world upon civilization in this hour. How well we know the Holy Scriptures have been fulfilled, that there is nothing new under the sun. In 1799, when Napoleon Bonaparte came to the very apex of his power, there had been, as we all recall, much war between the Government of France in different forms and that of England. There was then pending the proposition to bring in four more allies in behalf of France, three more in behalf of England. Note you, sir, that there was then addressed to England the following communication by Bonaparte:

Called by the wishes of the French Nation to occupy the first magistracy of the Republic, I think it proper, on entering into office, to make a direct communication to your Majesty. The war which for eight years has ravaged the four quarters of the world, must it be eternal? Are there no means of coming to an understanding? How can the two most enlightened nations of Europe, powerful and strong beyond what their safety and independence require, sacrifice to ideas of vain greatness the benefits of commerce, internal prosperity, and the happiness of families? How is it that they do not feel that peace is of the first necessity as well as of the first glory? These sentiments can not be foreign to the heart of your Majesty, who reigns over a free nation, and with the sole view of rendering it happy. Your Majesty

will only see in this overture my sincere desire to contribute efficaciously for the second time to a general pacification by a step speedy, entirely of confidence, and disengaged from those forms which, necessary perhaps to disguise the dependence of weak States, prove only in those which are strong the mutual desire of deceiving each other.

Napoleon and those in behalf of him went direct to the question without those forms which the able Senator from Massachusetts said were always necessary, which you will observe were not regarded so in 1799.

Now, sir, may I invite the attention of Senators around me, educated in history, not to forget that Charles James Fox, rising in Parliament and moving the acceptance of the overtures of Napoleon, said, if I recall his speech, that it was peace that was the natural state of mankind; that any peace that gives promise of renewing people again in friendship and making permanent the past peaceful relationship of men ought to be adopted. Sir, it was in opposition to this that William Pitt combated the overtures of peace and refused to sustain the resolution tendered in Parliament by Buchanan, appealing to His Majesty to take up negotiations to the overtures; and, sir, what was the ground of this opposition?—almost as if the distinguished Senator from Massachusetts had lately refreshed his learned mind and adopted Pitt's reasons for those of the Senator. It was that the making of peace or encouraging of it at that time would only lead to temporary peace; that the only peace which would be permanent would be after the nation which he charged guilty of perfidy, having for its object the destruction of civilization, had been beaten down to its knees. He was then speaking of France. Sir, he prevailed and Fox was defeated, and overtures of peace were rejected. As a result of this, sir, we have it that from 1799 to 1814 wars in 11 different forms were revived between France and four of her allies on one side and England and three of hers on the other. More than 3,000,000 human beings went to their graves, while gentle France was deluged in the blood of her own sons, and noble Britain sat in tears like Niobe, and wept as Rachel for her children, "who were not."

Mr. President, to this very hour we can connect the war now pending between France and Germany in which England and France participate, and note the same allies that participated from 1799 to 1814. All related, it appears, to that policy which the distinguished Senator from Massachusetts indorses, that there can be no peace justified nor even to be tendered until one of the nations has been beaten to such humiliation that it could not decline. I can not accept the standard of the able Senator. I must view history as must any other scholar and realize that those creeds and those doctrines were those which have precipitated wars endlessly to generations unborn.

Sir, the Senator, tendering to his part of the Chamber his reasons sufficient from his viewpoint, says that this note of the President and this resolution, if I use his words accurately, would place us in the position of entering upon matters of peace of which, says he, we have no interests at this time. To use the exact words of the Senator, "at this time of the war we have no interests in this peace." Sir, does my distinguished friend, the eminent scholar of government, really mean to tell his country we have no interest in peace terms at this time? Will the distinguished Senator turn to Massachusetts, long the mother of liberty and the mistress in the vanguard of justice and peace, and say to her, with all that she has contributed to the building up of this Republic, that we have no interest in the terms of peace of these warring nations of Europe?

Sir, why did we buy the Danish islands? It was because the scholars of government on both sides of the Chamber realized the necessity of hastening the bargain, even yielding objections which previously had been made of so potent a character that they had been effective—for be it well understood that if this war of the belligerents in Europe should come to a termination suddenly the peace terms would involve transfers of territory. Having not a friend among the belligerents, these transfers would partake of the character of the transfer of islands owned by the belligerents in such parts of the sea as were adjacent to our hemisphere and which in the hands of those whose theories of government were opposed to a republican form would be harmful to our interests and which we could not approve.

Shall the able Senator be indifferent to the fact that if these peace terms were now to be brought to negotiation, with the attitude of all nations an enemy to us, and there should be an attempt to transfer the Marshall or Caroline Islands to a nation inimical to the United States, and which by its course of conduct or its principle is opposed to the policies that we must keep in effect in South America, we could supinely submit to it? Would we not, then, be called upon to protest after the

event had been concluded? Then, would we not protest in the very face of all of those who were opposed to us?

Sir, it may be that some one nation now might be opposed to some of our policies and some one nation or two nations, sir, might oppose some objection of ours touching a transfer of any of those islands in our seas; but, sir, when the terms of peace had been consummated and the treaty had been effected, then every country once engaged in the war and now making peace would be behind the execution of the treaty to enforce it; and all of them combined would then be the united opponent of America.

Shall the able Senator say to this body that we have no interest in the terms of peace when one contemplates the aspect of the possibility of possessions passing into the hands of one victor or another that would jeopardize our rights in the Philippine Islands, threaten our security in Hawaii, and run us the risk of embarrassment in Alaska? Surely, if such were attempted we would have to raise our voice; and, further, if persisted in, our hand.

Then, sir, it can not be said that we have not an interest in these peace terms. Surely the Senator spoke beside his thought and could not have meant really and seriously to say to this Nation that at this time we, with all our interests, circumnavigating the globe and interlocked with all creation, have no interest in the final verdict of mankind and in the disposition of civilization in this war.

Sir, this is a great moral question. Our entrance into it is an entrance as an agency of morality, as the voice of Christianity. The President of the United States is to be admired by an unselfish thought and applauded by an impartial world for having taken this commendable step.

Sir, is it remembered how long this war has continued and that no voice has spoken? Will it be ignored how long the President of the United States has waited; how he has waited for any other head of any other Government on earth to have spoken first? Since, sir, there was this silence on the part of every monarch, every ruler, every president, should the President of your country, which you have dedicated to the brotherhood of man and the religion of Christ, be silent in the presence of the noblest sacrifice of the cross—the birthday of the Master, the Prince of Peace? The President sanctified this Christmas season by his holy call for "Peace on earth, good will to men."

But, says the able Senator, this message has one great objection why we can not give approval to the adoption of the resolution. Says the Senator, there are expressions from four officials in connection with this message which say there would be war between this country and some of those countries abroad. Mr. President, we have heard read by the Senator from Massachusetts what he said were the explanations of those expressions by the Secretary of State. The Senator from Massachusetts would have us understand that the expression on the part of our official that there could be war was offensive for that it was without foundation, and that if we pass this resolution we would indorse that charge. I say to the Senator I agree with him in the speech he made in Lynn, Mass., on the 16th day of March, to the Republican Club of Lynn, where he announced his candidacy for the Senate, which was ratified by the people of Massachusetts. After arraigning this administration for which I speak—arraigning the President, whose course I indorse, in the policy now before this body—he specifically charged us with not properly guarding the future that was surely on its way to war, and he said to his people—I read from a paper friendly to the Senator—

The peace of this country would have been far better kept, we should be in far less danger of war to-day, or war when peace comes among the warring nations of Europe, if we had kept it—

Meaning peace—
without humiliation, kept it in honor and without fear.

Then I appeal to the Senator from Massachusetts as the authority to justify the assertion of the Secretary of State. For myself, Mr. President, let me say, upon my authority in the place where I stand, assuming to bind no man, that I agree with the sentiment expressed from any quarter—the Senator from Massachusetts or the Secretary of State or from any other observing man—that this war can not continue without America being involved in the conflict.

Mr. President, we have seen three nations enter on each side of this conflict who were not in it at the time it began, but whose interests became so involved as the war was enlarged that they were caught up in its flames and are this day suspended in the fate of either consuming their opponents or being burned to ashes in the conflagration.

Do you feel, Mr. President, that here in this Nation the people of this country are in such temper that they will ever

again allow any commander of ships, captains of armies, officers of diplomacy, cabinets of war lords, or censors, to visit upon this country an injury to its citizens or its property and escape upon the excuse of a misconception of orders, on the one hand, or an excess of zeal on the part of the officer on the other? Sir, let us be truthful. In the excess of our generosity to maintain the peace of this Republic we accepted those explanations from different countries of the world, but if those conditions shall again be repeated America will not again accept that form of apology. She will resent and, to the extent of her power, punish a repeated wrong to her people or an insult to her Nation. No amount of logic for pacification would avail when America is again aroused to an offense deliberately done her.

Then, sir, you must see that if there have been from high sources expressions of the fears of war it is well grounded in all experiences of the past and in these very illustrations of the war in Europe.

Sir, I say the continuance of this war in Europe will mean war with the United States. I have never a doubt that in the wise comprehension of the President of the United States, in the sagacious forethought of the officers of the administration they were impelled to bring peace to Europe, that we might maintain peace in America.

But, says the Senator from Massachusetts—and here I come to the conclusion of the last of the able Senator's strong objections, which I greatly respect, however much I may differ—that in this note there are other reasons which are sufficient to reject this resolution. The able Senator would have the United States of America understand that there was a proposition in this message that after the war America was to join with other nations of the world in some kind of league for the purpose of using force to enforce the claims or the rights of smaller nations, and he would have us believe that in this there is a threat in the message that would wholly destroy the Monroe doctrine. Mr. President, if I correctly gather his logic—though he did not express it—it is that by entering into any understanding with any other nation we would give them the right, under the courtesy and privilege of such understanding, to come into this hemisphere and exercise their authority in the affairs of America as we had assumed to do in the affairs of the small countries of Europe.

Mr. President, with very great respect to the intuition and sagacity of the able Senator, I defy his skill of analysis to lay his finger upon one single word, far less sentence, that justifies that conclusion. I must defy his capacity of definition to lay his finger upon one phrase that would justify that deduction. What are the words which the able Senator would have us understand justify him in this fear? These, Mr. President, are the words in the message, that we will do all that is in our power to command to aid in the protection of smaller nations in their rights. Senators, I ask, is there anything new in that assertion? What does the distinguished historian statesman—the President—mean? This eminent historian in the White House is not ignorant of his country. This man—Woodrow Wilson—began first as a student of history, then he became a teacher of history, and now he is a maker of history—will he be ignorant of the policies of his country, the unwritten constitution of America, the Monroe doctrine? No. The expression, Mr. President, was not only not new, but one we have often indulged and enforced to the full extent of our power. There was no intimation that we would command beyond our power; that we would assume to violate our power; that we would transcend it. I appeal to the Senator from Massachusetts to recall that when Greece was struggling for her rights against the tyranny of monarchs nearly a hundred years ago, and fighting against the persecution of power, Henry Clay, of Kentucky, tendered a resolution that these United States give every aid to the full extent of her power in the protection of the rights of Greece. Who supported this? Daniel Webster, from Massachusetts. Surely can it be that the incorporation of this very language has become an affront to the successor of Daniel Webster, who now occupies his seat?

Therefore, Mr. President, remembering my observation to the Senator from Nebraska [Mr. NORRIS], I beg to call to your attention the fact that the Monroe doctrine is not only guarded by the expression used and our Asiatic policy preserved, but every theory of a republican form of government essential to our preservation is as secure now, and will be in the future, as it has ever been in the past. Nothing in that message by word or line can give to the able Senator, or any other man of judgment, justification for the fears he has expressed, though it is commendable in every man, if he thinks he sees an indication of that kind, to denounce it, or, if in a proposition, to oppose it, and defeat it with every power at his command. But, sir, the Senator summons up these obstacles of invention and tenders

them here to defeat the approval of the act of the President, which this day I say would be as regrettable a deed as could ever curse the honor of the Senate.

Mr. President, I have done with the objections urged by the distinguished Senator. Here is the resolution, and there is the undertaking of my President, with whom I differ as to many things, to whom in genial conversation I have often expressed those differences; but he was chosen to decide these questions that are placed within the Executive disposal, and not I; and when we differ, if he still contends he is right in matters of presidential prerogative, his duty is to enforce his view, because he must bear the responsibility; and I stand to support him because the country chose him to enforce the duty and commands us, whenever we can with conscience, to execute the will of the ballot box and give to him strength and support in the execution of the policies with which they have intrusted him. It is for that reason that I would waive any formal or partisan objection I might have to the passage of a resolution like this, and give it the distinction of a unanimity of approval that all the world may see that when an American President, be his party politics whatever it may be, shall call for peace, all of his coordinate branches of Government, all of his country, in one grand unison shall echo back hosannas of peace. Never, sir, would I permit, far less present, that which is shown here; an aspect of obstruction, which will never escape the accusation that it is born of partisan opposition, with the object to defeat the little credit that might come to this man or his party for having brought about peace. Or, sir, that other and more dangerous aspect of having yielded to that racial prejudice that has poisoned our people against fairness and deprived a great nation of the spirit of justice.

Sirs, America does not command by force of arms the peace she yearns for. She does not summon to obedience through the trump of terror. She calls in the voice of kindness, and speaks with the tongue of friendship. America would melt every flash of the sword in the gleam of the cross and smother every roar of the cannon in the hosannas of happiness. By her example of prosperity and happiness, springing from the blessings of religion and the faith in the purposes of men, she beseeches the world to hearken to the President of this Republic, who speaks the voice of his country, calling to the warring nations of the earth, "Let us have peace."

Mr. President, England's great commoner, John Bright, speaking in Birmingham, England, in 1862, apostrophized this, our America. Said he:

I have a bright vision before my gaze. * * * I see one vast confederation, stretching from the frozen North to the glowing South and from the wild billows of the Atlantic westward to the calmer waters of the Pacific main. I see one people, one law, one language, and one faith, and all over that wide continent the home of freedom and the refuge for the oppressed of every race and of every clime. From this bright spot shall be proclaimed the peace that shall soften the world and assure happiness through the union of love to all God's people.

Sir, we, too, have our vision, and in it dream our dream. We behold our America enthroned in her virtues, presiding as the mistress of the fates of the world. She sits in the court of nations as mediator of their differences and arbiter of their grievances; this our country vanquishing force by scorn of its use. In her brow glows the star of justice that will illumine where war had blackened. About her heart is the shield of honor, in her hands neither spear of power nor the scepter of authority. She will but sway her wand of love, and beneath this will arise the geni of trust and faith to lead the nations of the world to peace, justice, and liberty—the mission of America to mankind. [Applause from the galleries suppressed by the Chair.]

Mr. BORAH obtained the floor.

Mr. HITCHCOCK. Mr. President, will the Senator yield to me?

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. BORAH. Yes.

Mr. HITCHCOCK. My motion that the resolution be laid before the Senate has not yet been put, and I ask the Senator if he will yield for that purpose?

Mr. BORAH. Mr. President, of course, I would prefer to speak directly to the question, but I can only speak for myself when I say that I am perfectly willing that the Senator shall have an opportunity to present the matter directly.

Mr. HITCHCOCK. I ask for a vote on the motion.

The PRESIDENT pro tempore. The question before the Senate is, Shall the resolution of the Senator from Nebraska be considered instead of the unfinished business?

Mr. TOWNSEND. Mr. President, upon that motion I demand the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I am paired with the senior Senator from New York [Mr. O'GORMAN]. I transfer that pair to the Senator from Maine [Mr. FERNALD] and vote "nay."

Mr. McLEAN (when his name was called). I have a pair with the senior Senator from Montana [Mr. MYERS]. In his absence I withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. OVERMAN (when his name was called). I have a general pair with the junior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the senior Senator from Tennessee [Mr. LEA] and will vote. I vote "yea."

The PRESIDENT pro tempore (when the name of Mr. SAULSBURY was called). I transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the senior Senator from Oklahoma [Mr. GORE] and will vote. I vote "yea."

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I desire to announce the absence of my colleague [Mr. SMITH of Michigan], and his pair with the junior Senator from Missouri [Mr. REED]. This announcement may stand on all votes for the day.

Mr. TILLMAN (when his name was called). I transfer my pair with the junior Senator from West Virginia [Mr. GORF] to the junior Senator from Louisiana [Mr. BROUSSARD] and will vote. I vote "yea."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES]. I transfer that pair to the junior Senator from Utah [Mr. SUTHERLAND] and will vote. I vote "nay."

The roll call was concluded.

Mr. DILLINGHAM. I observe that the senior Senator from Maryland [Mr. SMITH], with whom I have a general pair, has not voted. I therefore withhold my vote.

Mr. BECKHAM. Has the senior Senator from Delaware [Mr. DU PONT] voted?

The PRESIDENT pro tempore. He has not.

Mr. BECKHAM. I have a general pair with that Senator and withhold my vote.

Mr. CHILTON. I transfer my pair with the senior Senator from New Mexico [Mr. FALL] to the junior Senator from Wisconsin [Mr. HUSTING] and will vote. I vote "yea."

Mr. REED. I transfer my pair with the senior Senator from Michigan [Mr. SMITH] to the junior Senator from New Jersey [Mr. HUGHES] and will vote. I vote "yea."

Mr. GRONNA. I inquire if the senior Senator from Maine [Mr. JOHNSON] has voted?

The PRESIDENT pro tempore. He has not.

Mr. GRONNA. I have a pair with that Senator. As I can not obtain a transfer, I shall withhold my vote. If at liberty to vote, I should vote "nay."

Mr. CHILTON. I wish to announce that my colleague, the junior Senator from West Virginia [Mr. GORF], is absent on account of illness.

Mr. MARTINE of New Jersey. I have been requested to announce the unavoidable absence of the senior Senator from Oklahoma [Mr. GORE] on account of illness.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced—yeas 41, nays 27, as follows:

YEAS—41.

Ashurst.	Kern	Pomerene	Smith, S. C.
Bankhead	Kirby	Ransdell	Stone
Bryan	Lane	Reed	Swanson
Chamberlain	Lee, Md.	Robinson	Thomas
Chilton	Lewis	Saulsbury	Tillman
Culberson	Martin, Va.	Shafroth	Underwood
Fletcher	Martine, N. J.	Sheppard	Vardaman
Hardwick	Newlands	Shields	Walsh
Hitchcock	Overman	Simmons	
Hollis	Phelan	Smith, Ariz.	
Johnson, S. Dak.	Pittman	Smith, Ga.	

NAYS—27.

Borah	Gallinger	Nelson	Sterling
Brady	Harding	Norris	Townsend
Brandeggee	Jones	Oliver	Wadsworth
Clapp	Kenyon	Page	Watson
Clark	Lippitt	Polindexter	Weeks
Cummins	Lodge	Sherman	Works
Curtis	McCumber	Smoot	

NOT VOTING—28.

Beckham
Broussard
Catron
Colt
Dillingham
du Pont
Fall

Fernald
Goff
Gore
Gronna
Hughes
Husting
James

Johnson, Me.
La Follette
Lea, Tenn.
McLean
Myers
O'Gorman
Owen

Penrose
Smith, Md.
Smith, Mich.
Sutherland
Thompson
Warren
Williams

So the motion was agreed to; and the Senate resumed the consideration of the resolution (S. 298) submitted by Mr. HITCHCOCK December 22, 1916, as follows:

Resolved, That the Senate approves and strongly indorses the action taken by the President in sending the diplomatic notes of December 18 to the nations now engaged in war suggesting and recommending that those nations state the terms upon which peace might be discussed.

Mr. GALLINGER. Mr. President, will the Senator from Idaho yield to me?

Mr. BORAH. I yield to the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, some days ago I offered a proposed substitute for the resolution submitted by the Senator from Nebraska [Mr. HITCHCOCK]. I now desire to modify it to the extent that will be found in the draft which I send to the desk and ask to have read.

The PRESIDENT pro tempore. Without objection, the Secretary will read the amended substitute.

The SECRETARY. In lieu of the substitute previously submitted the Senator from New Hampshire offers the following:

Resolved, That the Senate of the United States, in the interests of humanity and civilization, expresses the sincere hope that a just and permanent peace between the warring nations of Europe may be consummated at an early day, and approves all proper efforts to secure that end.

The PRESIDENT pro tempore. The proposed amendment will be printed and lie on the table.

Mr. BORAH. Mr. President, I address myself to this subject with admitted embarrassment. If it were a subject dealing exclusively with matters concerning our own Government and our own people, I should feel at ease in expressing any views which I might entertain with regard to it. I realize, however, that this subject affects other people more vitally than even our own; and I think I appreciate, in part at least, that it is almost impossible for us to view this matter from the angle of vision from which it is viewed by other Governments and by other nations. In expressing ourselves, some things which we might say, while entirely agreeable to our own views and the views perhaps of our own people, might be viewed from a different standpoint by those of other nations. I therefore desire to premise my remarks by saying that I express my views with entire tolerance toward those entertaining different views, whether entertained here at home or abroad. I wish in no way to impeach the understanding or the viewpoint of others, but alone to give expression to the reasons which shall control my action with reference to this matter.

The President of the United States had a perfect right to send a note looking toward peace and to initiate a movement which might result in peace. He not only had the right to do so, but if there was in his possession information which convinced him as the President that such a course was a wise one, and might and probably would result in something effectual, it was his duty to do so. Furthermore, so far as this debate is concerned, in any view that I may express I shall assume, and conclusively assume, that the President had sufficient information before him, as the one representative of our Government authorized to deal with this matter, to warrant him in the belief that the step which he took was justified, and that he had given to the matter that reflection and consideration which the gravity of the subject would command from anyone whose duty it was to act in regard to it.

But if the Senate of the United States acts in regard to this matter, it will intrude itself into an affair of the utmost delicacy and of the most tremendous consequences, without any information other than that which we gather from the newspapers and from the general sources of information. If we act in regard to it at all, we will act without relationship to that part of the Government upon which devolves action at this time, without information, and without, in my judgment, sufficient reflection—that is, that reflection which should have taken place before the debate began. In other words, Mr. President, we are in an entirely different situation than that of the President; and it is no part of my purpose in this debate to assume to criticize the action taken by the President in sending this note. I hold to some rules of freedom in criticizing the action of a President in domestic matters, but when I am at all permitted to do so I prefer to remain silent in foreign matters.

If the matter had remained where, in my judgment, it should have remained, I should have felt it my duty as a Member of this body to remain entirely silent with regard to the subject

matter, notwithstanding that I might have differed with the President, both as to the timeliness of the note and as to its contents. Realizing, as I think I do—and I speak with entire sincerity with regard to that—that the movement was initiated with the hope that it would accomplish something, I should have felt it my duty to remain entirely silent as to the mode of procedure, either as to the expressions of the note or as to the time when it was submitted to the foreign nations. But it is here now, Mr. President, certainly by no choosing of mine, and I am called upon to cast a vote which, if in the affirmative, in my judgment, as the resolution stands, will obligate me to a course which does not at this time commend itself to my judgment, and particularly to statements in the note with which I am in utter disagreement.

I do not admit, Mr. President, since this resolution is here voluntarily, not at the suggestion of the President, but purely as the voluntary act of the Senate, that I am in any sense whatever assuming to criticize the President for the performance of his function and of his duty by disagreeing to the resolution and thereby disagreeing to the contents of the note. I am justified in that position, I think, by the fact that if this matter had been sent here at the suggestion of the President, or by reason of a message from the President, a different situation would present itself. But coming solely from the action of the Senate, without any suggestion upon the part of that particular official who, under our form of government, has to deal with this matter at this time, it seems that we may deal with it with entire freedom, and without being placed in the position of assuming to criticize those who have viewed it from a different standpoint and with different obligations.

I read this morning in the New York papers that the President's Secretary is authority for the direct statement that Mr. Wilson is entirely indifferent as to what the Senate or the House does about the peace note. I have every reason to believe, in view of the silence of the Chief Executive, that we are permitted to dispose of this matter according to our own judgments and our own consciences, without being placed in the position of criticizing the action of the President.

As I say, however, the note is here, and we have to deal with it and with all its contents under this particular form of resolution. It brings up for discussion and consideration some of the most important questions with which this body has had to deal since the beginning of the Government. I would like my colleagues to reflect upon this proposition that if this note contains the language which I believe it to contain, having the meaning which I understand it to have, initiating an entirely new policy on the part of this Government, when this body and the House pass upon it, then that department of the Government which fixes the policies of the country will have approved and initiated a new policy.

If the note contains what I believe it to contain—an expression of view with reference to our foreign policy in the future, an entire change of policy with reference to our foreign affairs—and this body and the other member of the legislative branch of the Government indorse it—it is a confirmation and an establishment, this side of an actual treaty, of the policy which is outlined in the note. There is no other step to be taken in regard to it except its actual carrying out by treaties made; and the Senate of the United States would not be entirely free to reject a treaty covering a policy which the Senate, after due deliberation and consideration, had affirmed.

Mr. President, just before the battle upon the plains of Marengo which seemed to place Napoleon well on the way of realizing his dreams of ambition, the Father of our Country was in retirement at Mount Vernon. A condition prevailed in Europe quite similar to the condition which prevails in Europe at this time. Napoleon, as I say, seemed in the way of realizing his ambition. Before his gigantic schemes thrones were toppling and dynasties disappearing; and it was understood that his plans encompassed the universal dictatorship of Europe, if not of the civilized world. Under those conditions Washington, in his retirement, wrote to a friend with reference to conditions in Europe and his views concerning them. His letter so fully expresses the view which I entertain with regard to the present situation, and so much more adequately than it would be possible for me to state it, that I am going, in the beginning of my remarks, to call attention to it. If history be correct, it was the last letter that the Father of our Country wrote upon any subject—certainly of public affairs:

The affairs of Europe have taken a most important and interesting turn. What will be the final results of the uninterrupted successes of the combined army it is not for a man at a distance of 3,000 miles from the great theater of action to predict; but he may wish and ardently wish, from principles of humanity and for the benevolent purpose of putting a stop to the further effusion of human blood, that the successful powers may know at what point to give cessation to the sword for the purpose of negotiation.

That expresses the great hope of all Americans that the great powers engaged in this conflict may realize or know the point at which the sword should give way to negotiations. In other words, while I presume we all have our views in regard to this conflict, and none of us stand entirely neutral in mind and in heart, whatever we may try to do officially, I assume that no American reflecting upon the affairs of Europe for the last hundred years wants to see any one of the belligerent powers dismembered and broken up. No one desires to see any one of the nations of Europe crushed. We hope that no attempt will be made to crush any one of those peoples. Our greatest hope is that these powers will appreciate the time when they should cease the conflict and enter upon negotiations; and, expressing my own view, at least, I trust that will be before an attempt is made upon the part of either side to absolutely crush and destroy any one of the nations engaged in this conflict.

There is one lesson of history which the people of Europe by this time ought fully to understand; that is, that whatever may be the power behind the movement or the influence which controls in the particular hour, it is practically impossible to destroy any nation where there has come to exist a real spirit of nationality. Over a century ago three of the great European powers dismembered and divided Poland. One of the rulers said, after the infamous deed was finished, that Poland had been disposed of by pen and ink; but Poland was not thus disposed of. She is now one of the vital, moving, controlling, dominating forces in this conflict, over a hundred years after. That crushed and dismembered nation has been the nerve of every revolution against absolutism in Europe from the time it was divided until this hour. The Polish patriots scattered over the face of Europe have either initiated or substantially supported the great revolutions against autocratic power from the time the autocrats of Europe divided it until now. I say, again, that the fondest hope of America is that these nations engaged in war, fighting, as they believe, for their security and their existence, may nevertheless realize the proper hour in which to lay aside the sword and take up negotiations.

Further says the Father of his Country:

My own wish is to see everything settled upon the best and surest foundation for the peace and happiness of mankind, without regard to this, that, or the other nation.

I repeat, Mr. President, that undoubtedly every Member of this body, and I presume that practically all throughout the country have their views, their sentiments, their opinions, their partisanship, with regard to this conflict. But whatever may be our views with regard to the governing power or the ruling class in this or that country there goes out from the heart of America to all the people, to the masses engaged in the conflict, regardless of nationalities, one common sentiment, and that is one of profound sympathy for the masses of the people, regardless of the kind of government which presides over their destinies. I find a complete expression of my views in the language of the Father of his Country when he says:

My own wish is to see everything settled upon the best and surest foundation for the peace and happiness of mankind, without regard to this, that, or the other nation.

Could there be anyone in all America so unconscionable as not to desire peace? If we should pass a resolution here merely in favor of peace it would but express the axiom of the American heart. But, on the other hand, can there be anyone so unreflective as not to want permanent peace; peace founded in justice and in righteousness, and therefore permanent peace?

Mr. President, I am going to put aside many of the minor matters which I deem to be involved in this debate, because, first, I know I shall not be able to cover them so well as they have already been covered by others speaking upon the subject; and, secondly, because I could waive in deference to the supposed cause of peace, since the resolution is here, every question involved in this note except one, and with reference to that I could not give my consent to vote for a resolution which even seems to indicate an approval of it. Since the resolution is here, though I believe it ought not to be here, I would put aside all objections save one, and that is vital and controlling, and not even in the cause of supposed peace will I seem to indorse it.

According to my limited vision of governmental affairs and the future happiness of this Nation, if I am not misled as to the contents of this note, there is a proposition involved in it of far more concern to the people of the United States than anything which we have had before us at this session or will have before us during many sessions to come. I desire to go to that, and when I shall have expressed myself fully in regard to it I will leave the subject matter so far as I am concerned, and not

consume time with other matters, though they are not unimportant.

Let us not seek to minimize the importance of this matter nor undertake to delude ourselves with the thought that the issue is not here. If we are going to pass this resolution and do not want to pass upon this subject, then the language of the resolution should be changed. We shall not be able to satisfy ourselves or our people when they come to reflect upon this record that the issue concerning which I propose to speak is not an issue in this debate. The language of the note to which I have reference is as follows:

In the measures to be taken to secure the future peace of the world the people and Government of the United States are as vitally and as directly interested as the Governments now at war. Their interest, moreover, in the means to be adopted to relieve the smaller and weaker peoples of the world of the peril of wrong and violence is as quick and ardent as that of any other people or government. They stand ready, and even eager, to cooperate in the accomplishment of these ends, when the war is over, with every influence and resource at their command.

In other words, we as a Nation are not only interested in the future welfare of the small nations of Europe, which, of course, we are, but we propose as a manifestation of our interest to make ready to achieve their protection and their integrity by every influence and every resource at our command. This means, if it means anything at all, that the Army and the Navy of the United States, the last and greatest resource for such things, will be at the command of any plan agreed upon between this Government and the nations of Europe for the protection of the small nations of that country. When the war is over, the note says, with every influence and resource at our command we will protect from violence or wrong all these small nations. Could a more stupendous proposition be presented to our people? Could a single proposition involving more completely the peace and contentment of this Republic for all time to come be submitted to this body for consideration?

Mr. President, it might be said in regard to this language that this is too free a construction of it, and that contention has been made by the brilliant Senator from Illinois [Mr. Lewis]. But the same cautious and conservative gentleman whose name is attached to this note in an interview shortly thereafter—the next day, I think—gave expression to the interpretation which should be placed upon this part of the note, and discussed freely, apparently from the newspaper reports, what it meant. Amongst other things the paper says:

Secretary Lansing apparently favors the idea of the United States joining with other European nations in a compact to preserve peace, because he regards some such measure essential in the light of present international conditions.

The United States is no longer in a position to remain indifferent to wars in Europe. American interests are bound to be seriously and vitally affected, as indeed they have been in the present war, and American rights are, Mr. Lansing has pointed out, necessarily placed in jeopardy.

The views of Mr. Lansing are along the line of the statements made by President Wilson last May in indorsing the League to Enforce Peace. Mr. Wilson at that time said the present war had demonstrated that in future wars of the present magnitude it would be extremely difficult, if not impossible, for the United States to remain neutral.

Let us go back a little further. There is an organization in this country called the League to Enforce Peace. Among its members are some of our most distinguished educators and publicists and statesmen. Its president is the ex-President of the United States, Mr. Taft. Among its members, as I recall, is Judge Parker, a Democrat of the strictest sect. A number of other admirable gentlemen are members of this league, which has a short but a momentous platform.

In discussing this matter, which I propose to do with some frankness, I may say in the beginning that I am not indulging in a partisan discussion, and, furthermore, I speak with great respect for the gentlemen who make up the membership of the league. With the president of the league a Republican, and with an agreement between the president of the league and the President of the United States upon this matter, I think we may assume that it is a nonpartisan question and discuss it from that standpoint.

I call attention to the platform of this league, for in the background of this discussion is this movement, the fountain source of this whole scheme:

It is desirable for the United States to join a league of nations binding the signatories to the following:

First. All justiciable questions arising between the signatory powers not settled by negotiation shall, subject to the limitation of treaties, be submitted to a judicial tribunal for hearing and judgment, both upon the merits and upon any issue as to its jurisdiction of the question.

Second. All other questions arising between the signatories and not settled by negotiation shall be submitted to a council of conciliation for hearing, consideration, and recommendation.

Third. The signatory powers shall jointly use forthwith both their economic and military forces against any one of their number that goes to war or commits acts of hostility against another of the signatories before any question arising shall be submitted as provided in the foregoing.

This is a proposal, as you see, to form a league composed of the nations of the earth, if they all saw fit to join it—the nations of Europe and the nations of America and of the Orient—by which all matters of dispute, justiciable or otherwise, shall be submitted either to an international tribunal or a council of conciliation, and behind it all is the pledge, through treaties or otherwise, to use the economic and military forces of the nations to enforce a recognition or a compliance with the terms of the alliance. We would be one member of that league. We would have a single voice in the determination of the issues, as to the nature of them, and so forth, and the central idea of the entire movement is the use of force ultimately in the settlement of any disputes which might arise.

The President, speaking before this League to Enforce Peace, with its platform as its creed, used this language, after discussing the desire of the nations to get together:

So sincerely do we believe in these things that I am sure that I speak the mind and the wish of the people of America when I say that the United States is willing to become a partner in any feasible association of nations formed in order to realize these objects—

To wit, the objects outlined and described in the League to Enforce Peace—

and make them secure against violation.

Here is a clear and unmistakable declaration to the effect that the United States is willing to become a partner, a term of wide-reaching significance, in any association of nations, European and oriental, to insure or enforce peace, to use our economic and military forces to compel all nations members of the league to submit their affairs to these tribunals, and if any fail to do so to make war upon them. But that is not the worst of it. We agree in advance to authorize other nations to make war upon the United States if we refuse to submit some vital issue of ours to the decision of some European or Asiatic nations. This approaches, to my mind, moral treason.

A universal association of the nations to maintain the inviolate security of the highway of the seas for the common and unhindered use of all the nations of the world and to prevent any war, begun either contrary to treaty covenants or without warning, and full submission of the causes to the opinion of the world—a virtual guaranty of territorial integrity and political independence.

“Territorial integrity” and “political independence”! Now, read this paragraph in connection with the paragraph in the note and in connection with Mr. Lansing's statement and the platform of the league, under whose auspices the President was speaking, and there is nothing left to doubt. I hope the nations will understand, if they shall expect us to enter into such a program, that there are some who will have to be consulted more fully before that step is taken, and that is the people upon whom will rest the burden and with whom will rest the sacrifices involved in carrying out this new and startling program.

Senators, let us proceed further; what is the meaning of that language. When we agree to enter into an alliance which proposes by means of the military and naval forces of the United States to protect the national integrity of every small nation of Europe we have gone to the storm center of European politics. We have abandoned the policy of nearly a century and a half and entered directly and at once upon that policy which was condemned by the Father of our Country in the very beginning of the Government.

I do not complain that the President entertains these views, and, as I said a few moments ago, had they been contained in a note which bound the President alone it would have been my duty to refrain even from a discussion of them at this critical juncture. But when the note is thrown into the Senate with what in my judgment is a complete reiteration in briefer style but just as comprehensive as his statement upon repeated occasions that he is in favor of this Nation entering into an alliance with the nations of the earth to use its military and naval forces to enforce peace I am placed in a position then that if as a Member of the body I should vote for the resolution I would undoubtedly indorse the policy, something no exigency could induce me to do. I want peace. I share that sentiment with all my countrymen. I would hesitate to stand against the Chief Executive in any move which he would make in regard to it. But rather than see my country enter upon that course which, in my humble judgment, is not to promote peace but to promote war, I would oppose it at whatever cost to the cause of peace in Europe. I will not seem to court peace and instead and in fact court war. I do not know, Mr. President, how universal the sentiment is. We are told it has become practically the sentiment of the American people. I propose for my part to reflect and to repent before we start upon such a course and not afterwards.

The Senator from Illinois [Mr. LEWIS] said there was nothing in this language which should lead us to the conclusion of the abandonment of the Monroe doctrine. If the language of the President in the note, taken in connection with his speech before the League to Enforce Peace, and in connection with the platform which he indorsed by his language, is to be accepted, let us see whether or not it would destroy or abrogate, as it were, the Monroe doctrine.

Suppose the United States and Argentina and Brazil and some of the nations of Europe enter into an alliance of this nature; suppose that Argentina and one of the Governments of Europe are unable to agree to some matter in dispute? Argentina, considering the matter vital, refuses to submit her dispute to an international tribunal or to a council of conciliation, under this doctrine of the League to Enforce Peace we would not only have agreed that the European nations could come here and engage in war with Argentina, but if we were called upon we would have to join our Army and Navy to enforce the matter against Argentina. We would join the European nation against our sister American Republic. It is an invitation for Europe to come to America to participate in our affairs and to be a part and parcel of American affairs as completely as European affairs. In fact, there would be no American affairs in the practical operation of the league, for Europe and the Orient would always control the court.

It means, therefore, Mr. President, not only the abandonment of the doctrine of no entangling alliances established by Washington, but it means the abandonment of the Monroe doctrine, announced by Monroe upon the mature advice of Jefferson.

Let us see; take some illustrations which may show the dangerous course upon which we are about to enter if we indorse such a policy. I am going to use the names of some of the nations, in order not to deal too abstractly, although in doing so, of course, I am not to be considered as using them because I either fear them or would offend them, but simply as an illustration.

We will assume now that the partnership of which the President spoke has been formed, that the cooperation has been completed, and the combine and alliance has been made, and in that combination and alliance are Japan and Russia and the United States. We will assume that after the combination is made Russia and Japan have a dispute as to their rights in Manchuria. Japan insists that it should be submitted to the arbitral tribunal. Russia insists that it involves her vital interests and refuses to submit it, and moves her troops immediately to the disputed territory. Under the league alliance which we have formed and the treaties which we have made we must join with Japan in punishing Russia for refusing to submit her proposition to the tribunal. Regardless of whether it was Russia or Japan, would we brave our way across the ocean to shed a nation's blood in a war in which we had only the most general concern?

Where do these gentlemen expect to get their soldiers or sailors for such expeditions?

I am afraid that these gentlemen who talk about a league to enforce peace have overlooked in their zeal the fact that this is still a government of the people, by the people, and for the people, and that they make war, make and unmake administrations, make and unmake Congresses, and they would have to be consulted. You might force through your combination—that could be done in the comfortable chambers of courts—but the men who made these treaties would not be the ones to die for them. The people would have to do the fighting, and fortunately they also do the voting.

Let us take another illustration. We will assume that Mexico has been restored to law and order and has an established government; that Mexico is a member of the alliance; that Japan is a member of the alliance; and that Mexico conceives the idea of leasing Magdalena Bay to Japan for 99 years, and we protest against it. We have already joined the alliance. They also are members of it. Mexico says, “Certainly I have a right to dispose of my territory,” and Japan says, “I have a right to lease.” We are all members of a common league bound together for a common purpose. Would the United States submit that question to a tribunal where it has but one vote or one voice and permit its entire future to be disposed of by a court where it has but a single representative and probably no friend, so far as that question would be concerned?

If these words which I have quoted, Mr. President, lead us in this direction we are approaching the most important subject with which we could deal with reference to foreign affairs. I have already called attention to the platform of the League to Enforce Peace. I want to call attention now to the language

of Sir Edward Grey a few days ago in regard to the same subject matter. He says:

Only bear this in mind—

Speaking to those who were in favor of a league to enforce peace—

if the nations in the world after the war are to do something more effective than they have been able to do before, to bind themselves together for the common object of peace, they must be prepared not to undertake more than they are prepared to uphold by force, and to see when the time of crisis comes that it is upheld by force. In other words, we say to neutrals who are occupying themselves with this question that we are in favor of it. But we shall have to ask when the time comes for them to make any demand on us for such a thing, "Will you play up when the time comes?" It is not merely a sign manual of sovereigns or presidents that is required to make a thing like that worth while; it must also have behind it parliaments and national sentiment.

In other words, Mr. President, this has already in the estimation of these gentlemen passed beyond the domain of mere theory or of didactic discussion, that it is now a practical question of how far the United States is willing to go; and as Sir Edward Grey says, we must understand that it means force in the enforcement of terms and conditions upon which the league exists. No mere words, no sentimentality about the millennium, but force is the dominant note and war will be the ultimate result. Is this what our President meant a few weeks ago when he said this is the last European war in which we will not take a part?

We are now proposing to pass legislation which will commit this body to the proposition that we are in favor of entering such an alliance, an alliance controlled and dominated by the element of force in matters of peace.

Mr. President, Prof. Lowell, in an article in the last North American Review, says:

Many Americans complain that the league would involve our country in entangling alliances with foreign nations contrary to our traditions. It would certainly involve obligations, and those of a very grave character—obligations that might possibly result in war—and so does the Monroe doctrine.

The learned professor is frank, but with all his learning, with his great knowledge of history, I would have expected him to say "probably" result in war instead of "possibly" result in war. Before Washington committed us to the doctrine of "nonentangling alliances" America took part in all European wars. Had not it been for Washington's policy, had he yielded in the fateful hour when urged to form a European alliance, we would have participated in every war which has torn and tormented Europe from that hour to this.

It is this feature of this resolution covering this particular language of the act which makes it impossible for me to support the resolution. Now, I should like to ask the Members who are supporting the resolution if they understand that the Senate of the United States is about to indorse the idea contained in this language? I should like to ask, I say, the Senators supporting this resolution if they understand that we are about to indorse a proposition contained in this language, to wit, that we are willing to enter into association or any form of cooperation for the purpose of protecting the small nations of Europe?

Mr. HITCHCOCK. I do not understand the Senator addresses his remark particularly to me, but I am frank to say that as far as I am personally concerned I aimed in the resolution to indorse nothing except the request made by the President on the warring nations to state the terms upon which peace might be considered.

Mr. BORAH. May I ask the Senator, since he is on the floor, if he understands this language to mean that the United States is willing to enter into an alliance to cooperate with the nations of Europe for the purpose of protecting the small nations of Europe?

Mr. HITCHCOCK. No; it does not.

Mr. HARDWICK. Will the Senator from Idaho yield just a moment?

The PRESIDING OFFICER (Mr. PITTMAN in the chair). Does the Senator from Idaho yield to the Senator from Georgia?

Mr. BORAH. I yield.

Mr. HARDWICK. Has the language been modified on that point so as to exclude that?

Mr. HITCHCOCK. No; my resolution still stands as originally presented. There have been presented a number of proposed changes as amendments. I have not as yet accepted anything.

Mr. BORAH. Then, I ask the Senator what the construction is of the language of the note where it says:

Their interest—

Referring to the Government of the United States—

Their interest, moreover, in the means to be adopted to relieve the smaller and weaker peoples of the world of the peril of wrong and

violence is as quick and ardent as that of any other people or Government. They stand ready, and even eager, to cooperate in the accomplishment of these ends, when the war is over, with every influence and resource at their command.

Now, one of the resources is to enter into treaties for that purpose and to use the Army and Navy to that end.

Mr. HITCHCOCK. I might not differ so much with the Senator from Idaho upon the construction which he places upon the note. The point I make is that the time when the Senate is to take a position upon any proposition of that sort will not arrive until it is proposed by the President or reaches the Senate in the form of a treaty.

Mr. BORAH. Mr. President, we may adopt a policy and carry it out afterwards by treaty, but so far as announcing the attitude of this Government toward the proposition, so far as announcing its policy, if that is the meaning of the President's note and the Congress adopts it, would it not be, so far as the adoption of the policy is concerned, conclusive upon that proposition?

Mr. HITCHCOCK. Mr. President, I trust the Senator will not insist that my resolution indorses the President's note. I have endeavored to make it plain, in what I have said, that I aim at least in the resolution to indorse nothing except the President's request to the warring nations to state the terms upon which peace might be considered, and in my opening remarks I distinctly disavowed any desire to commit the Senate to an indorsement of anything which might be controversial or argumentative.

Mr. LEWIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Illinois?

Mr. BORAH. I do.

Mr. LEWIS. Mr. President, assuming that the Senator from Idaho likewise addresses his query to me, in view of my observations on that subject, I desire to ask the Senator in turn, to form a reply to the query, Does he assume that the President of the United States by the use of the expression "using the resources at our command" means that he would do anything or attempt to do anything until commanded by the people, and does he assume that the people, through their representatives, would ever command anything in violation of the institutions of America?

Mr. BORAH. Well, it would not be in violation of the institutions of America if we should adopt the policy, though I think it would be an exceedingly unwise policy; but there is nothing in our institutions or Constitution or anything else which would prevent us from doing so if we desired to do it in a proper way.

Mr. LEWIS. Might I be pardoned if I asked the Senator if he would not regard the Monroe Doctrine and what it means as one of the fixed institutions of the political policy of America?

Mr. BORAH. Yes; but it is one that we could abandon if we desired to do so. We announced and we can renounce it. It rests alone with the United States.

Mr. LEWIS. We could likewise, may I suggest to the Senator, abandon the Constitution if we choose and violate it.

Mr. BORAH. Let me call the Senator's attention to the language of the President. It seems that the President has already consulted with the people in this matter and he feels that the people have authorized him to act in the matter; and that being true, there is nothing to hinder him from proceeding, according even to the terms of the Senator from Illinois. The President says:

So sincerely do we believe in these things that I am sure that I speak the mind and wish of the people of America—

When that was ascertained I have no means of knowing—when I say that the United States is willing to become a partner in any feasible association of nations formed in order to realize these objects—

What objects? The objects covered by the platform of the League to Enforce Peace, before which he was speaking—and make them secure against violation.

He has already, in his judgment, had the views of the people, and feels that in entering into this partnership, this association of nations, for the purpose of enforcing peace, he is carrying out the will and purpose of the people of the United States. It may be true that that is the will and the purpose of the people of the United States; I do not know; but I know that it is not my will, and never could be. Again, the President says:

I am sure that the people of the United States would wish their Government to move along these lines:

That is to say, carrying out his statement—

A universal association of the nations to maintain the inviolate security of the highway of the seas for the common and unhindered use

of all the nations of the world, and to prevent any war, begun either contrary to treaty covenants or without warning, and full submission of the causes to the opinion of the world—a virtual guaranty of territorial integrity and political independence.

In other words, we are ready to enter into a combination to guarantee the territorial integrity of Serbia, of Roumania, and of every other small nation of Europe that may be involved in a controversy in the future.

Now, my friends upon the other side, if you desire to meet the issue fairly and squarely, you will do so by eliminating in an unmistakable way from the resolution any possible approval of that proposition. Or if you are in favor of it, if it is the position of the majority party in the Senate, that they want to enter into this league, this partnership, then we are ready to meet that issue. I insist the question is plainly here, and I do not propose that it shall be put aside. I want you to take the responsibility or renounce it.

Mr. HITCHCOCK. Mr. President—

Mr. BORAH. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. In my opinion and my understanding of the English language, no change is necessary; but the Senator from Washington [Mr. JONES] has proposed an amendment to my resolution, and I should like to inquire whether that amendment would meet the views of the Senator from Idaho? The resolution, as the Senator from Washington proposes to amend it, would then read as follows:

Resolved, That the Senate approves and strongly indorses the request by the President in the diplomatic notes of December 18 to the nations now engaged in war that those nations state the terms upon which peace might be discussed.

That is exactly the proposition that I wanted to put before the Senate. I think the meaning of my resolution is not essentially changed by the amendment proposed by the Senator from Washington, and I should like to know from the Senator from Idaho whether the adoption of that amendment would obviate the objection which he finds to my resolution?

Mr. BORAH. I think the amendment proposed by the Senator from Washington is entirely a different proposition from the resolution of the Senator from Nebraska, and if the Senator from Nebraska is willing to adopt the resolution of the Senator from Washington I shall conclude my remarks at once.

Mr. HITCHCOCK. Well, Mr. President, if such action on my part would conclude this discussion, or even shorten the discussion, I should be glad to take it. I will say now that I will accept the amendment offered by the Senator from Washington, so far as I am concerned.

Mr. BORAH. Do I understand that the amendment of the Senator from Washington is accepted by the Senator from Nebraska?

The PRESIDING OFFICER. That is the understanding of the Chair.

Mr. HITCHCOCK. I have the right to accept that amendment, I believe, under the parliamentary situation, and I accept it.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. BORAH. I yield for a question.

Mr. NORRIS. I should like to say that, while I have an amendment which I have offered to the resolution, if my colleague will adopt the language as proposed by the Senator from Washington, I shall be glad to withdraw my suggested amendment and support the resolution in that form. It contains the same idea that I was trying to reach with my amendment, and, so far as I am concerned, in that form I am ready to vote for it.

Mr. HITCHCOCK. I accept the amendment, Mr. President.

The PRESIDING OFFICER. The Senator from Nebraska modifies his amendment by the acceptance of the amendment proposed by the Senator from Washington [Mr. JONES].

Mr. BORAH. Mr. President, I stated to the Senator from Nebraska that, so far as I was concerned, I should terminate my remarks upon the acceptance by him of the amendment proposed by the Senator from Washington. I want to add this, however, in a brief way: In voting for the substitute which has been accepted there is language in the President's note with which I do not agree; but it is such that I should not permit it to stand in the way of any supposed aid that the passage of the resolution in its present shape might be to the cause of peace. I would not permit it to stand in the way of my assisting that movement. I do not want to be understood, however, in casting my vote for the resolution as approving anything in the note except the request for terms.

Mr. POMERENE. Mr. President, I ask that the resolution as amended be read to the Senate.

The PRESIDING OFFICER. The Secretary will read the resolution as modified.

The SECRETARY. As modified the resolution reads:

Resolved, That the Senate approves and strongly indorses the request by the President in the diplomatic notes of December 18 to the nations now engaged in war that those nations state the terms upon which peace might be discussed.

The PRESIDING OFFICER. The pending question is on the amendment in the nature of a substitute offered by the Senator from New Hampshire [Mr. GALLINGER].

Mr. GALLINGER. Mr. President, I ask for a vote on the substitute which I offered a few moments ago.

The PRESIDING OFFICER. The substitute proposed by the Senator from New Hampshire will be stated.

The SECRETARY. The Senator from New Hampshire offers an amendment to the resolution in the nature of a substitute to read as follows:

That the Senate of the United States, in the interests of humanity and civilization, expresses the sincere hope that a just and permanent peace between the warring nations of Europe may be consummated at an early day, and approves all proper efforts to secure that end.

The PRESIDING OFFICER. The question is on the amendment in the nature of a substitute offered by the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, I shall not occupy any time in the discussion of the proposed substitute. It is in plain and unmistakable language and is understood by every Senator. I shall, however, ask for a yea-and-nay vote upon it.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). Making the same announcement of my pair and its transfer to the junior Senator from Wisconsin [Mr. HUSTING], as on the former vote, I vote "nay."

Mr. DILLINGHAM (when his name was called). Owing to the absence from the Chamber of the senior Senator from Maryland [Mr. SMITH], with whom I have a general pair, I am compelled to withhold my vote. If permitted to vote, I should vote "yea."

Mr. GALLINGER (when his name was called). As previously announced, I transfer my pair with the senior Senator from New York [Mr. O'GORMAN] to the junior Senator from Maine [Mr. FERNALD] and vote "yea."

Mr. GRONNA (when his name was called). Owing to the absence of the senior Senator from Maine [Mr. JOHNSON], with whom I have a general pair, I shall withhold my vote. If permitted to vote, I should vote "yea."

Mr. McLEAN (when his name was called). I have a pair with the senior Senator from Montana [Mr. MYERS]. In his absence I withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. OVERMAN (when his name was called). Announcing my pair and its transfer as heretofore, I vote "nay."

Mr. TILLMAN (when his name was called). Repeating the same transfer of my pair as on the last roll call, I vote "nay."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES], which I transfer to the junior Senator from Utah [Mr. SUTHERLAND] and vote "yea."

The roll call was concluded.

Mr. REED. I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Kansas [Mr. THOMPSON] and vote "nay."

Mr. BECKHAM. I have a pair with the senior Senator from Delaware [Mr. DU PONT]. In his absence I withhold my vote.

Mr. MARTINE of New Jersey. I am requested to state that the Senator from Oklahoma [Mr. GORE] is detained at his home on account of illness. I have no knowledge as to how he would vote if present.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY]; and

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced—yeas 27, nays 36, as follows:

YEAS—27.

Borah	Gallinger	Martine, N. J.	Sterling
Brady	Harding	Nelson	Townsend
Brandegee	Jones	Oliver	Wadsworth
Clapp	Kenyon	Page	Watson
Clark	Lippitt	Poindexter	Weeks
Cummins	Lodge	Sherman	Works
Curtis	McCumber	Smoot	

NAYS—36.

Bankhead	Johnson, S. Dak.	Pittman	Smith, Ariz.
Bryan	Kern	Pomerene	Smith, Ga.
Chamberlain	Kirby	Ransdell	Smith, S. C.
Chilton	Lane	Reed	Stone
Fletcher	Lewis	Robinson	Thomas
Hardwick	Martin, Va.	Shafroth	Tillman
Hitchcock	Newlands	Sheppard	Underwood
Hollis	Norris	Shields	Vardaman
Hughes	Overman	Simmons	Walsh

NOT VOTING—33.

Ashurst	Fernald	Lee, Md.	Smith, Mich.
Beckham	Goff	McLean	Sutherland
Broussard	Gore	Myers	Swanson
Catron	Gronna	O'Gorman	Thompson
Colt	Husting	Owen	Warren
Culberson	James	Penrose	Williams
Dillingham	Johnson, Me.	Phelan	
du Pont	La Follette	Saulsbury	
Fall	Lea, Tenn.	Smith, Md.	

So Mr. GALLINGER's amendment in the nature of a substitute was rejected.

The PRESIDING OFFICER. The question recurs upon the resolution of the Senator from Nebraska [Mr. HITCHCOCK] as modified.

Mr. GALLINGER. I will ask that the resolution as it now stands be read at the desk.

The PRESIDING OFFICER. The Secretary will read the resolution as it now stands.

The Secretary read as follows:

Resolved, That the Senate approves and strongly indorses the request by the President in the diplomatic notes of December 18 to the nations now engaged in war that those nations state the terms upon which peace might be discussed.

Mr. GALLINGER. Mr. President, for myself, believing that the President has no constitutional or legal right to demand that the warring nations shall state the terms upon which they will agree to peace, I shall vote against the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution as modified.

Mr. GALLINGER and Mr. POINDEXTER called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. BECKHAM (when his name was called). I have a general pair with the Senator from Delaware [Mr. DU PONT]. In his absence I withhold my vote.

Mr. GALLINGER (when his name was called). Making the same transfer of my pair as on the former vote, I vote "nay."

Mr. GRONNA (when his name was called). Having a general pair with the senior Senator from Maine [Mr. JOHNSON], who is absent, I withhold my vote.

Mr. KENYON (when Mr. LA FOLLETTE's name was called). I desire to make the announcement for the senior Senator from Wisconsin [Mr. LA FOLLETTE] that he is unavoidably absent. Were he present he would vote "yea."

Mr. McLEAN (when his name was called). I make the same announcement as on the previous vote, that I have a pair with the senior Senator from Montana [Mr. MYERS], and in his absence I withhold my vote.

Mr. OLIVER (when his name was called). I ask to be excused from voting upon this question, and at the conclusion of the vote I will state my reason, if required.

Mr. OVERMAN (when his name was called). Making the same announcement of my pair and its transfer as heretofore, I vote "yea."

Mr. REED (when his name was called). I make the same transfer of my pair as on the last vote and vote "yea."

Mr. SMOOT (when Mr. SUTHERLAND's name was called). I desire to announce the unavoidable absence of my colleague [Mr. SUTHERLAND].

Mr. WEEKS (when his name was called). Making the same announcement of my pair and its transfer as heretofore, I vote "nay."

The roll call was concluded.

Mr. DILLINGHAM. I observe that the senior Senator from Maryland [Mr. SMITH] has not voted. Having a general pair with him, I withhold my vote. If permitted to vote, I should vote "nay."

Mr. CURTIS. I am requested to announce that the senior Senator from Delaware [Mr. DU PONT] is unavoidably detained from the Senate. Were he present he would vote "nay." He is paired with the junior Senator from Kentucky [Mr. BECKHAM].

Mr. HUGHES. I desire to announce the unavoidable absence of the senior Senator from Kentucky [Mr. JAMES]. If present, he would vote "yea."

Mr. TILLMAN. Announcing the same transfer of my pair as on the last vote, I vote "yea."

Mr. CHILTON. I make the same announcement of my pair and its transfer as on the last ballot and vote "yea."

Mr. MARTINE of New Jersey. I rise again to announce the absence of the Senator from Oklahoma [Mr. GORE]. Since making the announcement of his absence on the last ballot, I have learned through his office that were he present he would vote "yea" on the Hitchcock resolution.

Mr. SAULSBURY. I have a general pair with the junior Senator from Rhode Island [Mr. COLT], which I transfer to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. ROBINSON. I have been requested to announce that the Senator from Kansas [Mr. THOMPSON] is detained from the Senate on account of official business. If present, he would vote for the resolution of the Senator from Nebraska [Mr. HITCHCOCK].

Mr. SHEPPARD. I desire to announce that the Senator from California [Mr. PHELAN] is detained on official business and that if present he would vote for the resolution of the Senator from Nebraska.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced—yeas 48, nays 17, as follows:

YEAS—48.

Bankhead	Hughes	Norris	Smith, Ariz.
Borah	Johnson, S. Dak.	Overman	Smith, Ga.
Bryan	Jones	Pittman	Smith, S. C.
Chamberlain	Kenyon	Pomerene	Sterling
Chilton	Kern	Ransdell	Stone
Clapp	Kirby	Reed	Swanson
Cummins	Lane	Robinson	Thomas
Curtis	Lee, Md.	Saulsbury	Tillman
Fletcher	Lewis	Shafroth	Townsend
Hardwick	Lippitt	Sheppard	Underwood
Hitchcock	Martin, Va.	Shields	Vardaman
Hollis	Newlands	Simmons	Walsh

NAYS—17.

Brady	Lodge	Poinexter	Weeks
Brandagee	McCumber	Sherman	Works
Clark	Martine, N. J.	Smoot	
Gallinger	Nelson	Wadsworth	
Harding	Page	Watson	

NOT VOTING—31.

Ashurst	Fall	La Follette	Phelan
Beckham	Fernald	Lea, Tenn.	Smith, Md.
Broussard	Goff	McLean	Smith, Mich.
Catron	Gore	Myers	Sutherland
Colt	Gronna	O'Gorman	Thompson
Culberson	Husting	Oliver	Warren
Dillingham	James	Owen	Williams
du Pont	Johnson, Me.	Penrose	

So Mr. HITCHCOCK's resolution as modified was agreed to.

VOLUNTEER OFFICERS' RETIRED LIST.

Mr. TOWNSEND. I move that the Senate proceed to the consideration of Senate bill 392, the Volunteer officers' retired list bill.

EXECUTIVE SESSION.

Mr. HUGHES. I move that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. The Senator from New Jersey moves that the Senate proceed to the consideration of executive business.

Mr. TOWNSEND. On that motion I demand the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GRONNA (when his name was called). I have a general pair with the senior Senator from Maine [Mr. JOHNSON], who is absent. As I understand that he would vote as I shall vote, I feel at liberty to vote. I vote "nay."

Mr. LEWIS (when his name was called). On the main question I am paired with the senior Senator from Wisconsin [Mr. LA FOLLETTE]. Not knowing how he would vote on this preliminary one, I withhold my vote.

Mr. OVERMAN (when his name was called). Making the same announcement and transfer as heretofore, I vote "yea."

Mr. SAULSBURY (when his name was called). I make the same transfer as on the last ballot and vote "yea."

Mr. TILLMAN (when his name was called). Making the same announcement as before, I vote "yea."

Mr. WEEKS (when his name was called). Making the same announcement that I have made on previous occasions, I vote "nay."

The roll call was concluded.

Mr. BECKHAM. I transfer my pair with the senior Senator from Delaware [Mr. DU PONT] to the junior Senator from California [Mr. PHELAN] and vote "yea."

Mr. DILLINGHAM. I have a general pair with the senior Senator from Maryland [Mr. SMITH]. In his absence I transfer that pair to the junior Senator from Indiana [Mr. WATSON] and vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced—yeas 35, nays 28, as follows:

YEAS—35.

Bankhead	Johnson, S. Dak.	Rrnsdell	Smith, S. C.
Beckham	Kern	Robinson	Stone
Bryan	Kirby	Saulsbury	Swanson
Chamberlain	Lane	Shafroth	Thomas
Chilton	Martin, Va.	Sheppard	Tillman
Fletcher	Martine, N. J.	Shields	Underwood
Hardwick	Overman	Simmons	Vardaman
Hollis	Pittman	Smith, Ariz.	Walsh
Hughes	Pomerene	Smith, Ga.	

NAYS—28.

Borah	Dillingham	Lodge	Sherman
Brady	Gallinger	McCumber	Smoot
Brandeggee	Gronna	Nelson	Sterling
Clapp	Harding	Norris	Townsend
Clark	Jones	Oliver	Wadsworth
Cummins	Kenyon	Page	Weeks
Curtis	Lippitt	Polindexter	Works

NOT VOTING—33.

Ashurst	Gore	McLean	Smith, Mich.
Broussard	Hitchcock	Myers	Sutherland
Catron	Husting	Newlands	Thompson
Colt	James	O'Gorman	Warren
Culberson	Johnson, Me.	Owen	Watson
du Pont	La Follette	Penrose	Williams
Fall	Lea, Tenn.	Phelan	
Fernald	Lee, Md.	Reed	
Goff	Lewis	Smith, Md.	

So the motion was agreed to, and the Senate proceeded to the consideration of executive business. After 1 hour and 40 minutes spent in executive session the doors were reopened.

PURCHASE OF FOOD SUPPLIES (S. DOC. NO. 665).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Navy transmitting, in response to a resolution of December 15, 1916, certain information relative to the purchase of supplies by naval officers and employees through Government agencies, which was referred to the Committee on Naval Affairs and ordered to be printed.

RAILWAY LAND GRANTS IN IOWA (S. DOC. NO. 666).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior transmitting, in response to a resolution of August 19, 1913, further information relative to railway land grants in the State of Iowa, which, with the accompanying papers, was ordered to lie on the table and to be printed.

PETITIONS AND MEMORIALS.

Mr. OLIVER presented a petition of sundry citizens of Lancaster County, Pa., praying for the enactment of legislation to found the Government on Christianity, which was referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Pennsylvania, remonstrating against the enactment of legislation to prohibit liquor advertisements from the mails, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Pennsylvania, praying for prohibition in the District of Columbia, which were ordered to lie on the table.

OIL AND GAS LANDS.

Mr. PHELAN. I have been directed by the Committee on Public Lands to report two amendments intended to be proposed to the bill (H. R. 406) to authorize the exploration for and disposition of coal, phosphate, oil, gas, potassium, or sodium, which I ask may be printed.

The PRESIDENT pro tempore. The amendments will lie on the table and be printed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 7697) for the relief of the heirs of James N. Ward, deceased; to the Committee on Claims.

By Mr. THOMPSON:

A bill (S. 7698) granting an increase of pension to Joseph T. Lewis (with accompanying papers); to the Committee on Pensions.

By Mr. PHELAN:

A bill (S. 7699) granting a pension to Jennie E. Kidd; to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 7700) to place Julius Schmidt on the retired list with the rank of captain; to the Committee on Military Affairs.

A bill (S. 7701) for the relief of John P. Blackwell; to the Committee on Claims.

A bill (S. 7702) granting an increase of pension to Margaret S. Dustin;

A bill (S. 7703) granting an increase of pension to John Doughty;

A bill (S. 7704) granting an increase of pension to Jennie A. Cressman; and

A bill (S. 7705) granting a pension to Robert A. Imrie; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 7706) granting an increase of pension to Frederick L. Ballou (with accompanying papers);

A bill (S. 7707) granting an increase of pension to William M. Taylor (with accompanying papers);

A bill (S. 7708) granting a pension to Alfred E. Scott (with accompanying papers); and

A bill (S. 7709) granting an increase of pension to Adam Eckert (with accompanying papers); to the Committee on Pensions.

INTERSTATE AND FOREIGN COMMERCE.

Mr. NEWLANDS. Mr. President, I introduce a joint resolution, which I send to the desk and ask that it be read.

The joint resolution (S. J. Res. 190) to continue and extend the time for making report of the joint subcommittee appointed under a joint resolution entitled "Joint resolution creating a joint subcommittee from the membership of the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce to investigate the conditions relating to interstate and foreign commerce, and the necessity of further legislation relating thereto, and defining the powers and duties of such subcommittee," approved July 20, 1916, and providing for the filling of vacancies in said subcommittee, was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the joint subcommittee heretofore appointed under Senate joint resolution 60 (public resolution No. 25, 64th Cong.), approved July 20, 1916, entitled "Joint resolution creating a joint subcommittee from the membership of the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce to investigate the conditions relating to interstate and foreign commerce, and the necessity of further legislation relating thereto, and defining the powers and duties of such subcommittee," be, and the same hereby is, continued, and is authorized to sit either during the session of Congress or during the recess, and to make its report to Congress on or before the first Monday in December, 1917.

In the event that any House member of said subcommittee shall cease to be a Member of Congress by reason of not being reelected or if a vacancy should otherwise occur in the House membership of said subcommittee when Congress is not in session, the next ranking member of the committee from which the retiring member was selected shall fill the vacancy.

Mr. NEWLANDS. I ask unanimous consent for the present consideration of the joint resolution. I am authorized by the Interstate Commerce Committee to report favorably upon it.

Mr. BORAH. Mr. President, I presume the joint resolution will not lead to any debate?

Mr. NEWLANDS. I think not. It provides for a mere extension of time.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. NORRIS. Mr. President—

Mr. HITCHCOCK. What is the request, Mr. President?

The PRESIDENT pro tempore. The request of the Senator from Nevada is for unanimous consent for the present consideration of a joint resolution reported by him from the Committee on Interstate Commerce.

Mr. NORRIS. I object, Mr. President.

The PRESIDENT pro tempore. Objection is made. The resolution will go to the calendar.

Mr. NEWLANDS. I will ask to have it lie on the table.

The PRESIDENT pro tempore. It is a report of a committee, which must go to the calendar, the Chair is informed.

Mr. JONES. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Washington will state it.

Mr. JONES. I want to ask with reference to the matter submitted by the Senator from Nevada. I understood that he introduced a joint resolution. Was it a report from a committee?

The PRESIDENT pro tempore. It was a report from the Interstate Commerce Committee.

Mr. JONES. Or was it a joint resolution that had been referred to the committee?

The PRESIDENT pro tempore. The Chair can inform the Senator from Washington that a report of such a resolution was authorized by the Interstate Commerce Committee; and the Chair presumes this is the report from that committee, authorized this morning.

Mr. JONES. I understand that it was on a joint resolution that had never been introduced; and I make the point that a committee can not authorize a report on a joint resolution prior to its introduction.

The PRESIDENT pro tempore. The point, of course, is well taken if the facts are as stated by the Senator from Washington.

Mr. NEWLANDS. Then, Mr. President, I simply introduce the joint resolution. I will state that at a meeting of the committee I was authorized to report it favorably.

The PRESIDENT pro tempore. The joint resolution will be referred to the Committee on Interstate Commerce.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. JONES submitted an amendment authorizing the ratification and confirmation as fee simple patents without restrictions against alienation as of their dates of issuance issued under the homestead act of May 20, 1862, in the name of Charles Cleveland and others for certain land in the State of Washington, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 18453), which was referred to the Committee on Indian Affairs and ordered to be printed.

ADJUDICATION OF PRIVATE CLAIMS.

Mr. OLIVER submitted an amendment intended to be proposed by him to the bill (H. R. 6918) to relieve Congress from the adjudication of private claims against the Government, which was ordered to lie on the table and be printed.

PUBLIC BUILDINGS.

Mr. ASHURST submitted an amendment intended to be proposed by him to the bill (H. R. 17052) to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, etc., which was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

TERM OF OFFICE OF PRESIDENT AND VICE PRESIDENT.

Mr. SHAFROTH. Mr. President, I desire to give notice that on Monday next after the routine morning business I will address the Senate on the joint resolution (S. J. Res. 177) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President without the intervention of the Electoral College, establishing their term of office at six years from the third Tuesday of January following their election, and fixing the time when the terms of Senators and Representatives shall begin.

POWER AT NIAGARA FALLS.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 186) authorizing the Secretary of War to issue temporary permits for additional diversions of water from the Niagara River.

Mr. WADSWORTH. I move that the Senate disagree to the amendments of the House and request a conference with the House on the disagreeing votes of the two Houses thereon.

The motion was agreed to, and the President pro tempore appointed Mr. SMITH of Arizona, Mr. SHIELDS, and Mr. BRANDEGEE conferees on the part of the Senate.

INTERSTATE AND FOREIGN COMMERCE.

Mr. NEWLANDS. I am directed by the Committee on Interstate Commerce, to which was referred the joint resolution (S. J. Res. 190) to continue and extend the time for making report of the joint subcommittee appointed under a joint resolution entitled "Joint resolution creating a joint subcommittee from the membership of the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce to investigate the conditions relating to interstate and foreign commerce, and the necessity of further legislation relating thereto, and defining the powers and duties of such subcommittee," approved July 20, 1916, and providing for the filling of vacancies in said subcommittee, to report it favorably without amendment, and I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. NEWLANDS. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 20 minutes p. m., Friday, January 5, 1917) the Senate adjourned until to-morrow, Saturday, January 6, 1917, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 5 (legislative day of January 4), 1917.

UNITED STATES EMPLOYEES' COMPENSATION COMMISSION.

Dr. Riley McMillan Little, of Swarthmore, Pa., to be a member of the United States Employees' Compensation Commission for a term of six years.

Mrs. Frances C. Axtell, of Bellingham, Wash., to be a member of the United States Employees' Compensation Commission for a term of four years.

John J. Keegan, of Indianapolis, Ind., to be a member of the United States Employees' Compensation Commission for a term of two years.

APPOINTMENTS IN THE ARMY.

Col. Joseph E. Kuhn, Corps of Engineers, to be brigadier general from January 2, 1917, vice Brig. Gen. Robert K. Evans, retired from active service November 19, 1916.

Rev. Julius Joseph Babst, of Colorado, to be chaplain with the rank of first lieutenant from January 3, 1917, to fill an original vacancy.

APPOINTMENT BY TRANSFER IN THE ARMY.

First Lieut. Oliver A. Dickinson, Twenty-fifth Infantry, to be first lieutenant in the Field Artillery, with rank from June 5, 1914.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 5 (legislative day of January 4), 1917.

REGISTER OF THE LAND OFFICE.

James Alexander Nutting to be register of the land office at Susanville, Cal.

JUDGE ADVOCATE GENERAL IN THE DEPARTMENT OF THE NAVY.

Lieut. Commander William C. Watts to be Judge Advocate General in the Department of the Navy, with the rank of captain.

WITHDRAWALS.

Executive nominations withdrawn January 5 (legislative day of January 4), 1917.

First Lieut. William H. Simpson, Sixth Infantry, for appointment by transfer to be first lieutenant of Cavalry.

First Lieut. Elon A. Abernethy, Twenty-seventh Infantry, for appointment by transfer to be first lieutenant of Cavalry.

HOUSE OF REPRESENTATIVES.

FRIDAY, January 5, 1917.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Fill our hearts, O Lord, with the Holy Spirit of truth, that we may be guided in things temporal and in things spiritual to great thoughts and clean living, that unperturbed by the changes wrought by time we may pass serenely on, assured that all things work together for good to those who love the Lord. Therefore if any man be in Christ, he is a new creature; old things are passed away; behold all things are become new. And all things are of God who hath reconciled us to Himself by Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an interview published in the New York Times of Sunday, December 24, 1916, with a very distinguished engineer on the subject of making nitrogen from the air.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. EMERSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by inserting a resolution adopted by the Cleveland Chamber of Commerce which contains some very good suggestions on how to increase our foreign trade.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the Record by printing some resolutions by the Cleveland Chamber of Commerce. Is there objection?

There was no objection.

THE AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19359, the Agricultural appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CONY in the chair.

The CHAIRMAN. General debate is closed, and the Clerk will proceed with the reading of the bill.

The Clerk read as follows:

OFFICE OF THE SECRETARY.

Salaries, Office of the Secretary of Agriculture: Secretary of Agriculture, \$12,000; Assistant Secretary of Agriculture, \$5,000; solicitor, \$6,000; chief clerk, \$3,000, and \$500 additional as custodian of buildings; private secretary to the Secretary of Agriculture, \$3,000; executive clerk, \$2,250; executive clerk, \$2,100; stenographer and executive clerk to the Secretary of Agriculture, \$2,250; private secretary to the Assistant Secretary of Agriculture, \$2,250; 1 appointment clerk, \$2,000; 1 assistant in charge of information, \$3,000; 1 officer in charge of supplies, \$2,000; 1 assistant, \$2,000; 1 inspector, \$2,870; 1 inspector, \$2,250; 1 law clerk, \$3,370; 2 law clerks, at \$3,000 each; 1 law clerk, \$2,750; 4 law clerks, at \$2,500 each; 8 law clerks, at \$2,250 each; 1 law clerk, \$2,200; 5 law clerks, at \$2,000 each; 3 law clerks, at \$1,800 each; 4 law clerks, at \$1,600 each; 1 expert on exhibits, \$3,000; 1 telegraph and telephone operator, \$1,600; 1 assistant chief clerk and captain of the watch, \$1,800; 4 clerks, class 4; 12 clerks, class 3; 20 clerks, class 2; 22 clerks, class 1; 1 auditor, \$2,000; 1 accountant and bookkeeper, \$2,000; 1 clerk, \$1,440; 1 clerk, \$1,020; 7 clerks, at \$1,000 each; 12 clerks, at \$900 each; 1 clerk, \$840; 1 clerk, \$720; 15 messengers or laborers, at \$840 each; 12 assistant messengers, laborers, or messenger boys, at \$720 each; 1 messenger or laborer, \$660; 1 mechanical superintendent, \$2,500; 1 engineer, \$1,400; 1 electrical engineer and draftsman, \$1,200; one assistant engineer, \$1,200; 2 assistant engineers, at \$1,000 each; 8 firemen, at \$720 each; 13 elevator conductors, at \$720 each; 3 elevator conductors, at \$600 each; 1 superintendent of shops, \$1,400; 1 cabinet shop foreman, \$1,200; 4 cabinetmakers or carpenters, at \$1,200 each; 3 cabinetmakers or carpenters, at \$1,100 each; 9 cabinetmakers or carpenters, at \$1,020 each; 3 cabinetmakers or carpenters, at \$900 each; 1 electrician, \$1,100; 1 electrical wireman, \$1,100; 1 electrical wireman, \$1,000; 1 electrical wireman, \$900; 3 electrician's helpers, at \$720 each; 1 painter, \$1,020; 1 painter, \$1,000; 5 painters, at \$900 each; 5 plumbers or steam fitters, at \$1,020 each; 1 plumber's helper, \$840; 2 plumber's helpers, at \$720 each; 1 blacksmith, \$900; 1 elevator machinist, \$900; 1 tinner's helper, \$720; 1 lieutenant of the watch, \$1,000; 2 lieutenants of the watch, at \$960 each; 50 watchmen, at \$720 each; 4 mechanics, at \$1,200 each; 1 skilled laborer, \$1,000; 2 skilled laborers, at \$960 each; 2 skilled laborers, at \$840 each; 1 skilled laborer, \$720; 1 janitor, \$900; 22 assistant messengers, messenger boys, or laborers, at \$600 each; 1 carriage driver, \$600; 21 laborers or messenger boys, at \$480 each; 1 messenger or messenger boy, \$360; 1 charwoman, \$540; 3 charwomen, at \$480 each; 15 charwomen, at \$240 each; for extra labor and emergency employments, \$12,000; in all, \$413,750.

Mr. STAFFORD. Mr. Chairman, I make a point of order on the paragraph. I notice that throughout the bill it has small increases of salaries of high-priced officials, amounting to \$120, but not applying generally to all employees. It singles out one here and one there. Will the chairman of the committee advise the House what policy the committee adopted other than that incorporated in the bill providing for the horizontal rise of all those having salaries of \$1,800 or under?

Mr. LEVER. I will say to the gentleman from Wisconsin that the committee adopted the policy of allowing \$120 increase in salary of those whose salaries were recommended for an increase by the Secretary of Agriculture. We did not make any general increase at all, but took only those who had been recommended for increase—some \$250, some \$180, some probably \$300. In all instances we adopted the policy of giving them \$120 where they had been recommended for any increase, except the higher-priced officials, like the chiefs of bureaus.

Mr. STAFFORD. That is satisfying, as far as these increases are concerned. I am particularly interested in the increase of the salary of the solicitor from \$5,000 to \$6,000, and the private secretary to the Secretary of Agriculture from \$2,500 to \$3,000. In examining the legislative bill, we find that we pay

no solicitor connected with any department—for instance, the Post Office Department, the Interior Department, or the Treasury Department—more than \$5,000. Here the committee has attempted to establish a higher salary, which will be used as a precedent when the Appropriations Committee takes up for consideration the legislative, executive, and judicial appropriation bill, which carries appropriations for these solicitors. What justification can the gentleman advance, in view of the fact that the solicitors of important departments are only receiving \$5,000?

Mr. LEVER. In answering the question of the gentleman from Wisconsin, I might say that the work of the Solicitor of the Department of Agriculture for the last four years has very greatly increased, on account of the new statutes that we have passed. He must pass upon the grain standards act, the cotton-futures act, the Weeks forestry law, and so forth. He passes upon some forty-odd statutes, in addition to his ordinary routine work. We have felt that the salary of \$5,000 was too small for the caliber of man who ought to be Solicitor of the Department of Agriculture. His responsibilities are exceedingly large, and in addition to his purely legal work he must be a strong administrative officer, because he has in charge thirty-odd law clerks. We felt that the salary was too small, and on that theory we raised it to \$6,000. The Secretary asked for an increase of \$2,500, making the salary \$7,500, but the committee thought that \$6,000 was a reasonable salary.

I also want to call the gentleman's attention to the fact that while this statement is true, that the solicitors in other departments are not getting this salary, that most of them are getting \$5,000, yet I find in the State Department the state counselor gets \$7,500.

Mr. STAFFORD. The gentleman must recognize that the counselor is virtually the Acting Secretary, and is at present filled by a high type of man, Mr. Polk. It requires an entirely different man from what it does to fill the solicitor's office, which requires only an ordinary lawyer of some ability.

Mr. LONGWORTH. The Counselor of the State Department is the Acting Secretary of State during the absence of the Secretary.

Mr. LEVER. The Judge Advocate General of the War Department gets \$6,000. The Solicitor General of the Department of Justice receives a salary of \$10,000. The assistant attorney in the Antitrust Bureau gets \$9,000. The assistant attorney of the Court of Claims Division gets \$7,500. The assistant attorney of the office of the Assistant Attorney General gets \$7,500. The assistant attorney of the Public Lands Division gets \$7,500. We have felt that, with the probable exception of the Counselor of the State Department, the Solicitor of the Department of Agriculture was doing work of as high a character as these other gentlemen that I have named.

Mr. STAFFORD. Mr. Chairman, from my acquaintance with the work performed by the solicitors of other departments, who are receiving only \$5,000, I can see no reason why we should make an exception so far as the Solicitor for the Department of Agriculture is concerned. Therefore I make the point of order as to that office.

Mr. COX. Are you going to make the point of order as to the rest of them?

Mr. STAFFORD. I reserve the point of order on the rest of the paragraph.

Mr. LEVER. I concede the point of order as to this one. Let us settle this one first.

Mr. MANN. You will have to dispose of all the points of order.

Mr. LEVER. All right.

Mr. STAFFORD. I wish next to inquire of the chairman of the committee as to the increase for the private secretary to the Secretary of Agriculture. The committee have increased his salary from \$2,500 to \$3,000. I do not find any other department where we are paying \$3,000 to the private secretary of the head of a department, and I do not see any reason why we should single out this private secretary for preferential consideration.

Mr. LEVER. I happen to know the private secretary to the Secretary of Agriculture quite well personally, and have come into the most intimate contact with his work. He is a young man of very exceptional ability, as I think every member of the Committee on Agriculture will agree, and he does an enormous amount of work. I will say to the gentleman from Wisconsin that not infrequently the private secretary to the Secretary of Agriculture can be found in my office as late as 12 or 1 o'clock at night, and I have never called upon him for information or help that I have not always found him ready to respond, and fully capable of service and of help.

Mr. STAFFORD. I think if the gentleman was acquainted with the work of other departments, as he is so fully acquainted with the work of the Agricultural Department, he would find some other private secretaries working much beyond their office hours.

Mr. LEVER. I have no doubt of that at all. However, I call the attention of the gentleman to the fact that the private secretary to the Attorney General gets \$3,000 a year, and the private secretary to the Secretary of the Treasury gets \$3,000 a year.

Mr. STAFFORD. In the Treasury Department the title is assistant to the Secretary, and not private secretary.

Mr. MANN. If the private secretary to the Secretary of the Treasury gets \$3,000, he gets about \$1,500 more than he is worth.

Mr. LEVER. I do not know about that. I have stated the information which I have on the subject.

Mr. STAFFORD. Mr. Chairman, I make the point of order on these two items in the paragraph, the salary of the solicitor, \$6,000, and the salary of the private secretary to the Secretary of Agriculture, \$3,000.

Mr. COX. I reserved the point of order, and, to shut off debate, I make it.

Mr. STAFFORD. I withdraw the reservation as to the rest.

Mr. COX. I make the point of order on the item "one inspector at \$2,870," in lines 13 and 14, and "one law clerk, \$3,370," in lines 14 and 15. Both those items are increases of salary over last year.

Mr. LEVER. Mr. Chairman, I concede the point of order.

The CHAIRMAN. Will the gentleman mention the items again?

Mr. STAFFORD. The salary of the solicitor, in line 5, page 2, and the salary of the private secretary, in line 7, page 2.

Mr. LEVER. I concede the point of order and offer the following amendment.

The CHAIRMAN. The Chair sustains the point of order. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LEVER: Page 2, line 5, after the first semicolon, insert "solicitor, \$5,000."

The amendment was agreed to.

Mr. LEVER. I offer the following amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 6, after the second semicolon, insert "private secretary to the Secretary of Agriculture, \$2,500."

Mr. McLAUGHLIN. Mr. Chairman, I wish to offer an amendment to the amendment, striking out "\$2,500" and making it "\$2,750."

Mr. COX. I make a point of order on that.

Mr. McLAUGHLIN. Will the gentleman reserve it?

Mr. COX. I will reserve the point of order.

Mr. McLAUGHLIN. The chairman of the committee [Mr. LEVER] has spoken of the valuable service performed by this man, his ability and faithfulness, and I wish to indorse and approve of all he has said. The Committee on Agriculture come in contact with many men from the Department of Agriculture, who give evidence of ability and faithfulness of service; but, in my judgment, no one performs better work or is more deserving of an increase of salary than Mr. Harrison, the young man who fills this job. In my judgment, he is entitled to the amount recommended by the committee, \$3,000, but the Committee of the Whole have decided not to allow that. I hope they will allow the small increase of \$250 contained in my amendment to the amendment. We have been compelled to refuse many requests of officials of the department for increases. We have recommended increases only after careful examination and where we feel we have some knowledge of the work the officials and employees perform, and we heartily recommended \$3,000 to Mr. Harrison. I believe that no one who knows the character and amount of the work he does as private secretary to the Secretary of Agriculture will object to this small increase we ask, and I trust that the gentleman from Indiana [Mr. Cox] will withdraw his point of order.

Mr. LEVER. Mr. Chairman, I would like in the gentleman's time to reinforce the statement of the gentleman from Michigan [Mr. McLAUGHLIN], and urge the gentleman from Indiana [Mr. Cox] to withdraw his point of order against the amendment offered by the gentleman from Michigan. I had intended to do that myself, but I feared the point of order would be made, and that it would delay the time of the committee. This is a very deserving case, and this committee has been exceedingly careful

in its recommendations for increases. I think except for the 10 and 5 per cent provision the total increases in this bill of salaries amounts to only 37, out of a large number of employees, and out of a large number of recommendations for increases. This, to my mind, is one of the most deserving cases among all those recommended for increase by the Secretary of Agriculture. I trust the gentleman will not press his point of order.

Mr. COX. Mr. Chairman, I do not know the clerk; I have no acquaintance with him at all; but I concede everything that has been said here in his behalf this morning; that he is competent, able, efficient, and anything that they desire to urge in his behalf; but here we have a universal clamor going on in behalf of every clerk and every employee in the Government to increase salaries. As I said the other day, it may be that some of these underpaid employees are entitled to an increase of pay, and I am rather disposed to think they are, but is every man to be rewarded by an increase in salary simply and solely because he does his duty? Is that the only and sole ground upon which this increase in salary is urged this morning? Will it make him any more competent, any more efficient, any more effective, or any more active if this salary be increased? I think not, and I insist upon the point of order, and I intend to make the point of order on every increase of every salary here above \$1,800.

The CHAIRMAN. The point of order is sustained. The question is on agreeing to the amendment offered by the gentleman from South Carolina.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment offered by the gentleman from South Carolina.

The Clerk read as follows:

Page 2, line 6, after the second semicolon, insert "private secretary to the Secretary of Agriculture, \$2,500."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LEVER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 2, line 13, after the second semicolon, insert "one inspector, \$2,750."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LEVER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 2, line 14, after the second semicolon, insert "one law clerk, \$3,250."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MANN. Mr. Chairman, my impression is, and I ask the gentleman to correct me if I am wrong, that the solicitor's department and his force in the Department of Agriculture is not under the supervision of the Attorney General.

Mr. LEVER. That is correct.

Mr. MANN. I think he is the only solicitor that is not under the Department of Justice.

Mr. LEVER. I am not sure about that.

Mr. MANN. My recollection is that all of the other solicitors in all the other departments are officials of the Department of Justice, and it seems to me that there is some distinction between this Solicitor of the Department of Agriculture, who has an independent law office, and his force, who must have the responsibility in that office of conducting the litigation in behalf of the Government. In recent years we have added to the work of the Solicitor of the Department of Agriculture through the pure-food law, the insecticide law, the meat-inspection law, the various forestry laws, and a number of other laws, adding very largely to the work. Of course, that is evident from the reading of this bill, from the number of law clerks employed. The solicitor now gets the salary of \$5,000, and here is a proposition presented by the committee to make the salary of one law clerk \$3,370.

Mr. STAFFORD. An increase of \$120?

Mr. MANN. It seems to me really with some knowledge of the law business that it would be profitable to the Government if it had several \$5,000 a year law clerks, and I am not sure but if it had several \$10,000 a year law clerks. All of these other solicitors may have the benefit of the work of the Solicitor General or other higher paid officials in the Department of Justice. We have made in the Agricultural Department a law office larger I think probably than any law office in the country. I am not sure that it would be larger than the law office of

New York City, but I think it is larger than the law office of the city of Chicago and probably as large as the law office of any of the great corporations, unless it be the one located in the United States Steel Co. We employ only men at very low salaries who have to compete all of the time with attorneys who receive salaries ranging from \$5,000 a year to \$25,000 a year. I have no complaint to make of the work of this law office in the past. I think they have probably done excellent work. I do not pretend to be able to pass upon that, but I think it is quite certain that if we are going to have law clerks—we call them law clerks, though they are lawyers—to attend to the work of the Agricultural Department and of the Government in competition with the attorneys of the railroads of the country, in competition with the attorneys of the big producers of food products in the country, and expect them to succeed in taking care of the interests of the Government, we have got to be willing to pay some increases in salaries either to keep competent men who are in office or to get competent men to go into office, because when one of these men demonstrates his ability to protect the interests of the Government in one of these cases he can step out without much difficulty into a law office outside and receive a salary of from \$5,000 to \$10,000 a year.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina.

The amendment was agreed to.

Mr. DILL. Mr. Chairman, I desire to ask the chairman of the committee a question. I note in this paragraph there are 21 laborers or messenger boys, at \$480 each, and I notice all through the bill that there are so many laborers or messenger boys or assistant messengers at very low salaries, and I wondered whether the chairman of the committee knows how many of these employees are laborers and how many messenger boys, and what they do and how long they work?

Mr. LEVER. Some of these employees are laborers, as described, and some of them are messenger boys, as described, and they work the usual Government day in Washington.

Mr. DILL. For these men, eight hours, is it not?

Mr. LEVER. Eight hours; yes.

Mr. DILL. I noted that the gentleman said in his remarks a few moments ago that there were increases provided for 37 employees in this bill.

Mr. LEVER. Of the higher grades.

Mr. DILL. Of the higher grades, oh. I wanted to ask the gentleman if he had made a computation of how many increases were made on the roll of laborers and messengers who receive less than \$600 a year?

Mr. LEVER. If the gentleman will turn to the last item in the appropriation bill, he will find we have provided for an increase of all the low-grade salaries from \$1,200 down, 10 per cent.

Mr. DILL. That increase applies to a man whom you raise in here just the same, does it not?

Mr. LEVER. Oh, no.

Mr. DILL. If you increase a man's salary \$100 it does not apply to him?

Mr. LEVER. It applies only to those who receive a salary of \$1,200 or less.

Mr. DILL. Suppose a man receiving \$750 is changed to \$840 in this bill.

Mr. LEVER. We did not raise anybody in this bill below the \$1,800 salary except the 10 per cent and 5 per cent provision.

Mr. DILL. There are remaining a large number of these messengers or laborers, even with the 10 per cent increase, who receive considerably less than \$600. Is not that true?

Mr. LEVER. That is more or less true. In some cases it would be less. In some cases, where the salaries are \$600, it will be more.

Mr. DILL. Under \$600?

Mr. LEVER. Quite a few.

Mr. DILL. I was reading in the hearings about men in the inspector service who receive \$70 a month, and I concluded from the statements in the hearings by the members of the committee that they thought the wage was too low, as they speak of the increase in the lump-sum appropriation for that service, which, I take it, was for an increase in the salaries of those men in the inspection service.

Mr. LEVER. Let me assure the gentleman of the attitude of the Committee on Agriculture in reference to these increases. Some six years ago the committee on its own initiative, without any suggestion whatever from the Department of Agriculture, gave an automatic raise in the salaries of a large number of

these lower salaried employees, salaries, I think, ranging up as high as \$900, feeling that they were entitled to it.

Mr. DILL. How long ago was that?

Mr. LEVER. That was six years ago. The committee, of course, realizes that within that time the cost of living has very largely increased, but in our recommendation for the 10 per cent increase for salaries below the \$1,200 grade we followed what we conceived to be the judgment of the House on that proposition as expressed in its action on the legislative appropriation bill.

Mr. DILL. Does the gentleman believe that a laborer working eight hours a day and receiving \$40 a month, when the prices for foodstuffs and clothing and shelter are such as they are—does he think that a 10 per cent increase for that priced laborer is a proper increase at this time?

Mr. LEVER. I would say to the gentleman that my own view about that matter is this: I do not believe that the Congress can afford to take into consideration alone the proposition of the increase in the cost of living. The Congress must take into consideration the character of the work that is done by these various low-salaried employees and the proposition as to whether or not the Government is getting a quid pro quo for that service.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. DILL. Mr. Chairman, I ask unanimous consent for two minutes more in order that the gentleman may answer my question.

The CHAIRMAN. The gentleman from Washington asks unanimous consent for two minutes more. Is there objection?

There was no objection.

Mr. LEVER. In addition to that I would say that personally I feel a profound sympathy for those who are receiving these low salaries, but the duty of a Congressman must be beyond his sympathy. We have taken into consideration the fact that many, many million people in the United States, as competent, as patriotic as those who are receiving these salaries, are receiving even smaller salaries. The bulk of the farmers of this country, the majority of them, are making a wage that is not much higher, if any higher, than the wage of most of these various low-paid employees.

Mr. DILL. If the gentleman will permit, he does not contend that these men can live on the same amount of money that a man living out in the country on a farm can?

Mr. LEVER. Of course not. I do not contend that at all. My contention is that the net wage of the average farmer of this country is not much higher than the lowest salary in this bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Salaries, Office of Farm Management: One chief of office, \$4,000; 1 assistant to the chief, \$2,520; 1 executive assistant, \$2,250; 1 clerk, class 4; 2 clerks, class 3; 3 clerks, class 2; 6 clerks, class 1; 2 clerks, at \$1,100 each; 1 clerk, \$1,080; 1 clerk or photographer, \$1,020; 9 clerks, at \$1,000 each; 12 clerks, at \$900 each; 4 clerks or map tracers, at \$840 each; 3 clerks or map tracers, at \$720 each; 1 lantern-slide colorist, \$720; 1 messenger or laborer, \$720; 1 messenger, messenger boy, or laborer, \$660; 3 messengers, messenger boys, or laborers, at \$480 each; 1 laborer, \$360; 4 charwomen, at \$240 each; 1 library assistant, \$1,440; 1 photographer, \$1,400; 1 cartographer, \$1,500; 1 draftsman, \$1,440; 1 draftsman, \$1,200; 2 draftsmen, at \$900 each; in all, \$68,430.

Mr. DILL. Mr. Chairman, I move to strike out the last word for the purpose of making some observations regarding some of these low wages. I note in this paragraph, line 19, one laborer at \$360. I take it that he is one of the laborers that does not work eight hours a day. But there are a large number of the laborers in this department who are working eight hours a day at \$40 a month, and they are provided for in this bill. I learned in the little investigation I have made that some of these men are so hard up for money to pay for the living for themselves and families that they have not been able to buy meat for three months because they had to provide food and shelter.

As I said before, in previous discussions of this subject, I think it is outrageous that a great Government like this should have employees working eight hours a day and pay them such miserably low wages. The chairman of this committee stated a moment ago that some six years ago there was a revision made of the wages of these employees, and for that reason, in the light of the increased cost of living, a 10 per cent increase had been made here. I would like to insert in the Record as a part of my remarks some items regarding the increase in the price of foodstuffs, prepared by the Bureau of Statistics, and I ask unanimous consent, Mr. Chairman, that I may do that.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to insert in the Record as a part of his remarks certain statistics indicated by him. Is there objection?

There was no objection.

Following are the statistics referred to:

CHANGE IN AVERAGE PRICES AND IN AMOUNT OF VARIOUS ARTICLES OF
FOOD THAT COULD BE BOUGHT FOR \$1, 1890 TO 1915.

To show the changes and results of changes in retail prices of food for a period of 26 years, from 1890 to 1915, inclusive, a table has been prepared from the figures appearing in preceding reports and bulletins

on this subject, presenting the average price of each article and the average amount of each article that could be bought for \$1 each year of the period, except for two articles—sirloin steak and rib roast—for which satisfactory data were available only for the years 1907 to 1915. A second table shows the average price of each article and the quantity that could be bought for \$1 on December 15 of each year from 1912 to 1915, inclusive:

TABLE I.—Average retail price of food and amount that could be bought for \$1 each year, 1890 to 1915.

[illegible]

ROUND STEAK.

[illegible]

RIB ROAST.

[illegible]

PORK CHOPS.

[illegible]

[illegible]

HENS

EGGS

BUTTER.

[illegible]

MILK: FRESH.

FLOUR: WHEAT.

CORN MEAL.

[illegible]

TABLE I.—Average retail price of food and amount that could be bought for \$1 each year, 1890 to 1915—Continued.

POTATOES: IRISH.

Year.	North Atlantic division.		South Atlantic division.		North Central division.		South Central division.		Western division.		United States.	
	Average retail price.	Amount bought for \$1.	Average retail price.	Amount bought for \$1.	Average retail price.	Amount bought for \$1.	Average retail price.	Amount bought for \$1.	Average retail price.	Amount bought for \$1.	Average retail price.	Amount bought for \$1.
	Per pk.	Pecks.	Per pk.	Pecks.	Per pk.	Pecks.	Per pk.	Pecks.	Per pk.	Pecks.	Per pk.	Pecks.
1890	\$0.227	4.4	\$0.285	3.5	\$0.237	4.2	\$0.256	3.9	\$0.281	3.6	\$0.247	4.0
1891	.237	4.2	.306	3.3	.267	3.7	.285	3.5	.251	4.0	.264	3.8
1892	.201	5.0	.256	3.9	.208	4.8	.215	4.7	.217	4.6	.217	4.6
1893	.230	4.3	.304	3.3	.254	3.9	.267	3.7	.241	4.1	.254	3.9
1894	.209	4.8	.275	3.6	.237	4.2	.245	4.1	.203	4.9	.232	4.3
1895	.188	5.3	.257	3.9	.204	4.9	.223	4.5	.193	5.2	.208	4.8
1896	.165	6.1	.215	4.7	.152	6.6	.191	5.2	.195	5.1	.174	5.7
1897	.190	5.0	.255	3.9	.189	5.3	.234	4.3	.197	5.1	.211	4.7
1898	.222	4.5	.293	3.4	.226	4.4	.250	4.0	.210	4.8	.239	4.2
1899	.200	5.0	.270	3.7	.197	5.1	.236	4.2	.278	3.6	.218	4.6
1900	.195	5.1	.266	3.8	.195	5.1	.226	4.4	.226	4.4	.212	4.7
1901	.236	4.2	.311	3.2	.269	3.7	.279	3.6	.263	3.8	.264	3.8
1902	.238	4.2	.313	3.2	.270	3.7	.257	3.9	.272	3.7	.265	3.8
1903	.236	4.2	.298	3.4	.264	3.8	.267	3.7	.241	4.1	.260	3.8
1904	.251	4.0	.311	3.2	.269	3.7	.276	3.6	.285	3.5	.275	3.6
1905	.224	4.5	.283	3.5	.247	4.0	.265	3.8	.249	4.0	.249	4.0
1906	.232	4.3	.298	3.4	.254	3.9	.267	3.7	.270	3.7	.259	3.9
1907	.240	4.2	.308	3.2	.266	3.8	.290	3.4	.306	3.3	.273	3.7
1908	.265	3.8	.314	3.2	.294	3.4	.312	3.2	.271	3.7	.286	3.5
1909	.260	3.8	.314	3.2	.296	3.4	.301	3.3	.315	3.2	.289	3.5
1910	.225	4.4	.290	3.4	.258	3.9	.287	3.5	.284	3.5	.261	3.8
1911	.280	3.6	.386	2.6	.341	2.9	.370	2.7	.364	2.7	.337	3.0
1912	.325	3.1	.399	2.5	.343	2.9	.376	2.7	.393	3.4	.341	2.9
1913	.254	3.9	.314	3.2	.244	4.1	.298	3.4	.298	4.8	.259	3.9
1914	.269	3.7	.337	3.0	.264	3.8	.328	3.0	.240	4.2	.280	3.6
1915	.222	4.5	.259	3.9	.198	5.1	.278	3.6	.245	4.1	.229	4.4
October, 1916											.424	2.4
November, 1916											.511	2.0

SUGAR: GRANULATED.

	Per lb.	Lbs.	Per lb.	Lbs.	Per lb.	Lbs.	Per lb.	Lbs.	Per lb.	Lbs.	Per lb.	Lbs.
1890	\$0.067	14.9	\$0.067	14.9	\$0.067	14.9	\$0.074	13.5	\$0.080	12.5	\$0.069	14.5
1891	.057	17.5	.059	16.9	.059	16.9	.065	15.4	.071	14.1	.060	16.7
1892	.053	18.9	.057	17.5	.055	18.2	.061	16.4	.065	15.4	.056	17.9
1893	.057	17.5	.060	16.7	.058	17.2	.061	16.4	.067	14.9	.059	16.9
1894	.052	19.2	.056	17.9	.054	18.5	.059	16.9	.063	15.9	.055	18.2
1895	.051	19.6	.053	18.9	.053	18.9	.057	17.5	.059	16.9	.053	18.9
1896	.055	18.2	.054	18.5	.056	17.9	.059	16.9	.059	16.9	.056	17.9
1897	.054	18.5	.053	18.9	.055	18.2	.058	17.2	.060	16.7	.056	17.9
1898	.058	17.2	.057	17.5	.058	17.2	.059	16.9	.065	15.4	.059	16.9
1899	.057	17.5	.058	17.2	.059	16.9	.059	16.9	.062	16.1	.059	16.9
1900	.060	16.7	.061	16.4	.060	16.7	.060	16.7	.063	15.9	.061	16.4
1901	.059	16.9	.060	16.7	.059	16.9	.058	17.2	.063	15.9	.060	16.7
1902	.054	18.5	.056	17.9	.055	18.2	.056	17.9	.053	18.9	.056	17.9
1903	.055	18.2	.056	17.9	.055	18.2	.056	17.9	.059	16.9	.056	17.9
1904	.057	17.5	.057	17.5	.059	16.9	.061	16.4	.066	15.2	.059	16.9
1905	.060	16.7	.060	16.7	.059	16.9	.061	16.4	.065	15.4	.060	16.7
1906	.056	17.9	.056	17.9	.055	18.2	.058	17.2	.062	16.1	.057	17.5
1907	.057	17.5	.057	17.5	.056	17.9	.059	16.9	.063	15.9	.058	17.2
1908	.057	17.5	.058	17.2	.057	17.5	.060	16.7	.065	15.4	.059	16.9
1909	.057	17.5	.057	17.5	.057	17.5	.059	16.9	.064	15.6	.059	16.9
1910	.059	16.9	.058	17.2	.059	16.9	.060	16.7	.066	15.2	.060	16.7
1911	.064	15.6	.063	15.9	.064	15.6	.065	15.4	.066	15.2	.061	16.4
1912	.062	16.1	.063	15.9	.062	16.1	.063	15.9	.067	14.9	.063	15.9
1913	.054	18.5	.053	18.9	.055	18.2	.055	18.2	.059	16.9	.055	18.2
1914	.057	17.5	.058	17.2	.059	16.9	.059	16.9	.063	15.9	.059	16.9
1915	.064	15.6	.064	15.6	.066	15.2	.066	15.2	.070	14.3	.066	15.2
October, 1916											.082	12.2
November, 1916											.086	11.6

TABLE 2.—Average retail price of food and amount that could be bought for \$1 on Dec. 15, each year, 1912 to 1915.

[Average price for 1915=100.]

BEEF STEAK.

Date.	North Atlantic division.		South Atlantic division.		North Central division.		South Central division.		Western division.		United States.	
	Average retail price.	Amount bought for \$1.	Average retail price.	Amount bought for \$1.	Average retail price.	Amount bought for \$1.	Average retail price.	Amount bought for \$1.	Average retail price.	Amount bought for \$1.	Average retail price.	Amount bought for \$1.
	Per lb.	Lbs.	Per lb.	Lbs.	Per lb.	Lbs.	Per lb.	Lbs.	Per lb.	Lbs.	Per lb.	Lbs.
Dec. 15—												
1912	\$0.272	3.7	\$0.210	4.8	\$0.220	4.5	\$0.228	4.4	\$0.217	4.6	\$0.232	4.3
1913	.272	3.7	.231	4.3	.247	4.0	.256	3.9	.233	4.3	.250	4.0
1914	.296	3.4	.241	4.1	.244	4.1	.230	4.3	.229	4.4	.255	3.9
1915	.293	3.4	.236	4.2	.237	4.2	.237	4.2	.222	4.5	.250	4.0

ROUND STEAK.

Dec. 15—												
1912	\$0.229	4.4	\$0.187	5.3	\$0.189	5.3	\$0.177	5.6	\$0.192	5.2	\$0.200	5.0
1913	.253	4.0	.208	4.8	.215	4.7	.204	4.9	.204	4.9	.225	4.4
1914	.267	3.7	.219	4.6	.217	4.6	.206	4.9	.204	4.9	.228	4.4
1915	.264	3.8	.206	4.9	.208	4.8	.206	4.9	.200	5.0	.223	4.5

BEEF ROAST.

Dec. 15—												
1912	\$0.203	4.9	\$0.189	5.3	\$0.175	5.7	\$0.170	5.9	\$0.182	5.5	\$0.184	5.4
1913	.210	4.8	.203	4.9	.192	5.2	.193	5.2	.194	5.2	.198	5.1
1914	.216	4.6	.203	4.9	.192	5.2	.191	5.2	.196	5.1	.200	5.0
1915	.214	4.7	.195	5.1	.188	5.3	.195	5.1	.192	5.2	.198	5.1

TABLE 2.—Average retail price of food and amount that could be bought for \$1 on Dec. 15, each year, 1912 to 1915—Continued.
PORK CHOPS.

Year.	North Atlantic division.		South Atlantic division.		North Central division.		South Central division.		Western division.		United States.	
	Average retail price.	Amount bought for \$1.	Average retail price.	Amount bought for \$1.	Average retail price.	Amount bought for \$1.	Average retail price.	Amount bought for \$1.	Average retail price.	Amount bought for \$1.	Average retail price.	Amount bought for \$1.
Dec. 15—												
1912.....	Per lb. \$0.179	Lbs. 5.6	Per lb. \$0.188	Lbs. 5.3	Per lb. \$0.159	Lbs. 6.3	Per lb. \$0.189	Lbs. 5.3	Per lb. \$0.206	Lbs. 4.9	Per lb. \$0.181	Lbs. 5.5
1913.....	.204	4.9	.208	4.8	.184	5.4	.212	4.7	.226	4.4	.203	4.9
1914.....	.197	5.1	.204	4.9	.171	5.8	.203	4.9	.221	4.5	.195	5.1
1915.....	.189	5.3	.188	5.3	.165	6.1	.193	5.2	.204	4.9	.185	5.4

BACON: SMOKED.

Dec. 15—												
1912.....	\$0.240	4.2	\$0.245	4.1	\$0.250	4.0	\$0.310	3.2	\$0.290	3.4	\$0.262	3.8
1913.....	.250	4.0	.255	3.9	.269	3.7	.313	3.2	.290	3.4	.271	3.7
1914.....	.266	3.8	.265	3.8	.272	3.7	.322	3.1	.302	3.3	.281	3.6
1915.....	.253	4.0	.255	3.9	.269	3.7	.332	3.0	.293	3.4	.276	3.6

HAM: SMOKED.

Dec. 15—												
1912.....	\$0.243	4.1	\$0.238	4.2	\$0.243	4.1	\$0.267	3.7	\$0.274	3.6	\$0.248	4.0
1913.....	.258	3.9	.245	4.1	.258	3.9	.286	3.5	.288	3.5	.263	3.8
1914.....	.266	3.8	.248	4.0	.261	3.8	.280	3.6	.291	3.4	.266	3.8
1915.....	.261	3.8	.250	4.0	.261	3.8	.283	3.5	.285	3.5	.266	3.8

LARD: PURE.

Dec. 15—												
1912.....	\$0.156	6.4	\$0.149	6.7	\$0.161	6.2	\$0.153	6.5	\$0.173	5.8	\$0.158	6.3
1913.....	.155	6.5	.154	6.5	.158	6.3	.154	6.5	.174	5.7	.158	6.3
1914.....	.152	6.6	.152	6.6	.152	6.6	.150	6.7	.170	5.9	.154	6.5
1915.....	.142	7.0	.142	7.0	.143	7.0	.147	6.8	.158	6.3	.145	6.9

Highest and lowest average retail prices of certain specified articles of food, Washington, D. C., in 5-year intervals, from 1890 to 1915, and highest and lowest actual prices in October and November, 1916.

Year.	Round steak, per pound.	Pork chops, per pound.	Ham, smoked, whole, per pound.	Lard, pure, per pound.	Flour, wheat, per one-eighth barrel bag.	Potatoes, Irish, per peck.	Eggs, per dozen.	Butter, creamery, per pound.	Sugar, granulated, per pound.
1890.....	\$0.124	\$0.100	\$0.134	\$0.100	\$0.843	\$0.254	\$0.220	\$0.295	\$0.055
1895.....	.133	.125	.138	.110	1.000	.296	.240	.338	.074
1900.....	.116	.125	.130	.100	.742	.238	.208	.313	.048
1905.....	.125	.125	.140	.120	.784	.283	.228	.317	.053
1910.....	.125	.125	.142	.099	.760	.258	.215	.288	.057
1915.....	.154	.141	.146	.105	.826	.279	.228	.321	.063
October, 1916.....	.144	.141	.158	.120	.950	.250	.263	.323	.059
November, 1916.....	.153	.146	.126	.126	.968	.281	.276	.333	.063
	.150	.182	.170	.150	.900	.217	.292	.313	.055
	.193	.228	.197	.187	1.000	.292	.328	.393	.059
	.223	.195	.183	.124	1.050	.189	.291	.374	.060
	.275	.221	.191	.138	1.144	.263	.364	.393	.063
	.22	.24	.22	.18	1.30	.40	.42	.39	.075
	.30	.25	.23	.20	1.40	.45	.50	.45	.080
	.20	.22	.20	.20	1.30	.45	.48	.42	.080
	.25	.25	.23	1.50	.50	.50	.50	.085

Mr. DILL. These figures show that the prices of foodstuffs have increased anywhere from 40 per cent to 80 per cent, and sometimes 100 per cent. The prices of clothing have increased in a similar manner. To say that a 10 per cent increase meets the needs of these men who are receiving starvation wages is not merely disregarding the sympathy which Congressman may have, but disregarding their best judgment also.

I shall not, Mr. Chairman, attempt to amend the bill in different places where these low salaries for employees appear, because, judging from the attitude of the chairman, points of order will be made should amendments be offered in that direction, and I do not want to delay the consideration of the bill. But I want to refer to the fact that when the bill making appropriations for the legislative, executive, and judicial expenses of the Government was completed, 135 men were provided for who will be receiving less than \$600 a year for the coming year, even with the 10 per cent increase added. In this bill I have not counted them up, but I know the number runs high; because a great many of these messengers do laborers' work, and I think there are possibly two or three hundred of them altogether. If we are going to increase wages, it seems to me the place to do it is at the bottom, and not at the top. If it is necessary to keep down salaries by reason of the condition of the Treasury, then the raises should be made in behalf of the men who are actually struggling to live on the salaries they receive in this country. I do not think, as I said before, that this Government should

compel its employees to work at such low wages just because some outside employer may do it. The fact that they do this is no reason why the United States Government should do likewise.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

General expenses, Office of Farm Management: For the employment of persons in the city of Washington and elsewhere, furniture, supplies, traveling expenses, rent outside of the District of Columbia, and all other expenses necessary in carrying out the work herein authorized, as follows:

To investigate and encourage the adoption of improved methods of farm management and farm practice, \$237,380.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word for the purpose of inquiring whether, in the matter of traveling expenses, provision is made for the transportation of the household goods of such agents of the Government as may move from place to place?

Mr. LEVER. I regret to say that I am not prepared at this moment to give the gentleman that information. My impression is that it does not provide for that. I have a recollection of getting some information on that when we considered the bill last year. I think my impression is correct in that respect.

Mr. MOORE of Pennsylvania. The item is a lump sum of \$237,380, and it provides for the employment of persons in the city of Washington and elsewhere, furniture, supplies, traveling

expenses, rent, and other expenses necessary in carrying out the work. Can the gentleman say how many persons so employed are residents in the city of Washington?

Mr. LEVER. I have that information here. I will add the figures up if the gentleman desires.

Mr. MOORE of Pennsylvania. Can the gentleman state relatively?

Mr. LEVER. The larger percentage of these men are employed in Washington.

Mr. MOORE of Pennsylvania. And are they sent from place to place by the Secretary of Agriculture?

Mr. LEVER. They are.

Mr. MOORE of Pennsylvania. For the purpose of investigating and encouraging the adoption of methods of farm management and farm practice they are sent from place to place?

Mr. LEVER. Yes. The object of farm management, I will say to the gentleman from Pennsylvania, is an endeavor to make an economic study of farm conditions in this country in a broad, comprehensive way, with a view to developing economic facts touching agriculture in this country. It has its men stationed here and there and about in the country, some with permanent headquarters. It has many of its scientific men, its experts, its economists, located in the city of Washington, but the purpose of this is to get fundamental facts with respect to agriculture, facts which are necessary in developing the better practices and methods of agriculture in the country.

Mr. MOORE of Pennsylvania. May I ask the gentleman how these men are sent forth? By request of individual farmers, or upon order of the Secretary of Agriculture of his own volition?

Mr. LEVER. No. The Secretary of Agriculture sends these men into various localities which appear to him to be peculiarly interesting from the standpoint of investigation and into an area which is representative of a larger agricultural area surrounding it, with a view to studying the situation.

Mr. MOORE of Pennsylvania. Now, assuming that this appropriation is all right—this very large appropriation of \$237,380, a lump sum, to be distributed at the discretion, apparently, of the Secretary of Agriculture, and to be paid to those whom he may designate—does the gentleman know of any like appropriation made in any appropriation bill for a similar purpose with respect to any of the other industries?

Mr. LEVER. I am not familiar with the other lines of activity of the Government, but I do know that we appropriate large lump sums in the various bureaus of the Department of Agriculture for doing the same character of work.

Mr. MOORE of Pennsylvania. I have no doubt the gentleman is familiar with the whole agricultural situation and has never hesitated to advance it so far as he could. I commend him for that. I am not finding any fault with the manner in which the Department of Agriculture is being taken care of. But for the general purpose of information, of having the House as well as the country informed on this question, when we find appropriations denied to other sections of the country or other interests, I wanted to know if anybody on the Committee on Agriculture knows of any appropriation made by Congress upon any bill to improve the individual interests of any man or woman engaged in any other industry but agriculture?

Mr. LEVER. I will say to the gentleman that within his time and mine, in the last few years, we have created a Department of Labor, and have also created a Department of Commerce; that we have had a Bureau of Manufactures in existence for many, many years, and I assume that their activities are directed to the promotion of those peculiar lines of work.

Mr. MOORE of Pennsylvania. That is a fair answer. But I direct the gentleman's attention to this, that this particular paragraph, calling for the expenditure of \$237,300, is for the purpose of encouraging the adoption of improved methods of farm management and farm practice, which means an individual and direct advantage to the farmer. I am asking whether the Department of Labor or the Department of Commerce does encourage anybody in industry? Does it not rather, on the other hand, retard and investigate everybody engaged in industry, and make it difficult to proceed?

Mr. LEVER. I do not know about that. I know that we have a Bureau of Mines, whose activities are in the direction of encouraging better mining practices, better safety appliances, and things of that kind, which I think is on all fours with this work here.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. ANDERSON. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Minnesota.

Mr. ANDERSON. I direct the gentleman's attention to the fact that the Federal Trade Commission has recently made an investigation involving the establishment of uniform systems of accounting throughout all industry.

Mr. MOORE of Pennsylvania. Has not that added to the expense of industry everywhere? Has it been in the interest of any particular industry?

Mr. ANDERSON. The assumption was that it was in the interest of a particular industry, and I think it was.

Mr. MOORE of Pennsylvania. That is an assumption from the gentleman's viewpoint. The fact is that the entire activities of the Federal Trade Commission have been an incubus upon industry, making additional trouble to industry and putting additional burdens upon industry, and they are a charge upon every individual engaged in industry. Now, if all industry is to pay \$237,000 for one single item of employing people to help the farmer, why is not there some provision somewhere for at least \$1,000 to aid somebody in industrial lines? Every bill passed by this Congress in recent years, certainly in the last three years, affecting industry at all, has been by way of investigation of industry, by way of additional charges to be piled up against industry, by way of retarding industry, by way of making industry more burdensome than it ever has been before. I wish the farmer well. I have said several times on this floor that the farmer is particularly favored in all legislation, and in a way I am glad he is.

The man who thinks I am not a friend of the farmer is very much mistaken. Born on a farm, interested in a farm, and hoping to die on a farm, no one can excel me in my admiration or loyalty to the farming industry. It is absolutely essential to our welfare; but I want the dear farmer, or his able and eloquent Representatives on this floor, who are here in such numbers, to know that he ought not to be continually reproaching the man in the city and taking away from him, by taxation and otherwise, every opportunity he has for profit, and transferring it bodily to the farmer by these appropriations for the employment of scientists and others to help the farmer. Let us make farming profitable. I agree to that. I have been contending that farming is more profitable than employment in the city, and I have been urging those who live and labor in the congested cities to go out on the farm. I would like to have the farmer realize a profit on the splendid effort he is making. I approve of that. I have in my hand this morning a copy of the Norfolk Press, published at Norfolk, Nebr., evidently a friend of the farmer. This paper contains an article which indicates that we do not have to make appropriations all the time for the aid of the farmer; that the farmer in some particular localities is well able to take care of himself; that his State aids him, provides for him surveys and information that he needs, and that he ought not to be constantly coming to Washington to stick his hand into the Federal Treasury for special legislation and special aid. This paper, the Norfolk Press, of Norfolk, Nebr., under date of Thursday, December 14, 1916, only a little while ago, has under large headlines an article which proves that the man upon the farm is making more money than the man in the city. If I can in these five minutes get an opportunity to tell the farmer how well he is doing in contrast with the man in the city, I am doing a good thing for the farmer; and if I can tell the man in the city what is the gospel truth, that he can make more money out on a farm than he can by sticking around the alleys and highways of the city, I may be doing him a distinct good. No gentleman will call me a specialist for making this statement, because it is national and broad in its scope. The general idea I am trying to convey is that we ought not to exalt one element of our population at the expense of another element.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. We ought not to specialize in the matter of legislation. This House ought not to encourage special legislation, but it has come to such a pass here that we specialize day in and day out, taking care of one set of Americans against another set of Americans. It is wrong, it is per-

nicious. Some day I hope we will be courageous enough to set our faces against it. The fact is that the farmer is a very much-favored citizen of the land just now. While I do not glory in any special favoritism to any one class of people, I still glory in the fact that the farmer is prosperous. I am glad he is, even though I have called attention to those special provisions we make for him.

Mr. QUIN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I have only three minutes, but I yield to the gentleman. I can come in again.

Mr. QUIN. The gentleman says he is not in favor of special legislation. I would like to have the gentleman tell us what special legislation he thinks there is in this bill.

Mr. MOORE of Pennsylvania. You are making an appropriation of \$237,000 here to employ experts, scientists, and others to go out and educate the farmer, who seems to be pretty well educated already, and you do not do that for any man in any industrial line of which you or I have knowledge. That is special legislation.

Mr. COOPER of Wisconsin. Will the gentleman permit a question?

Mr. MOORE of Pennsylvania. I will.

Mr. COOPER of Wisconsin. What does the gentleman think of the statement that the position of the farming industry differs from that of any other because it supplies the raw material for the food and clothing and the actual necessities of life of the people of the country?

Mr. MOORE of Pennsylvania. What do I think of that statement?

Mr. COOPER of Wisconsin. And therefore it deserves and ought to receive a different treatment from an industry that is not of so vital a character to the very existence of the race.

Mr. MOORE of Pennsylvania. Does the gentleman from Wisconsin take the ground that because the farmer produces the raw material that he should be favored over the man who fabricates it?

Mr. COOPER of Wisconsin. I am not saying that.

Mr. MOORE of Pennsylvania. If that is the gentleman's position, an issue is drawn at once.

Mr. COOPER of Wisconsin. There is quite a difference between the farmer on the frontier tilling the soil, raising the raw material for food and clothing, and that of the ordinary pursuit. There may be others as important as that of the farmer, but there are a great many that can not be compared with it.

Mr. MOORE of Pennsylvania. Does the gentleman think that the man who raises the cotton in boll and puts it in the bale is any more entitled to special favors at the hands of Congress than the men and women who take the raw cotton and fabricate it and put it into garments for the users of the cotton?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MURRAY. Mr. Chairman, I move to strike out the last word.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph close in 10 minutes, the gentleman from Nebraska to have five minutes and the gentleman from Oklahoma five minutes.

Mr. MURRAY. I wanted 10 minutes and therefore I will not ask to be recognized.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. REAVIS. Mr. Chairman, I move to strike out the last two words. I have no desire to take issue with the distinguished gentleman from Pennsylvania [Mr. Moore] any further than to say that if his profession of great friendship for the farmer is true, some one should pray that the farmer be saved from his friends. I have heard many times on the floor of this House and elsewhere of the wonderful prosperity of the farmer of the Middle West. There is no doubt that he is prosperous. He is unusually prosperous at this time because of the unusual conditions which obtain in the world. He is unusually prosperous because of the tremendous war demand for his products on the other side of the sea. He is unusually prosperous because this Nation is unusually prosperous, but with a prosperity that is founded on broken homes and broken hearts. He is unusually prosperous in a prosperity builded on the grief and anguish and woes of a world. I have heard boastings of this prosperity in this Chamber, notwithstanding not a dollar of it has come to our shores that is not washed white with human tears.

The farmer of the Middle West starts his work in the morning at about the time that the gentleman from Pennsylvania goes to bed. [Laughter.] He goes to bed at night at about the time the distinguished gentleman from Pennsylvania rises. His long hours of work is illustrated by a story I heard not long

since of some lads from the University of Pennsylvania who went out West to assist in the harvest. The farmer with whom they accepted employment went to their room on the morning following their arrival and knocked to arouse them. One of the young gentlemen sleepily asked, "What do you want?" The farmer replied, "I want you to get up." "What for?" replied the lad. "Well, we must harvest the oats," returned the farmer. "What time is it?" "It is 3 o'clock." The young man sat hastily up and exclaimed, "Great God, are they wild; do we have to sneak up on them?" [Laughter.]

The eight-hour law does not apply to the farmer of the Middle West. In the busy summer season he works 18 hours a day, and he gets less for his labor per hour than any other skilled laborer in America. He is working not only to keep starvation from the people of the United States but from the world at large. He is in a business that intimately touches more of humanity than any other business in this world, and when we make appropriations for the purpose of increasing the knowledge and science of agriculture we are not doing it in the last analysis for the farmer's personal benefit, but for the benefit of the race that must be fed. I have heard the story about the great prosperity of the farmer, and yet there are fewer men on the farm every year than there were the year before. If they are so prosperous and their life is so easy, why is the present rural population becoming less year by year? It would be an excellent idea, as suggested by the gentleman from Pennsylvania, if some of the men who hang about the streets of Philadelphia would go to the farm and go to work, or go to some other employment and go to work; but they will have to leave their sleepy habits behind if they are to succeed in the West. It is useless for men in idleness to criticize and carp at the prosperity of the men who have earned their prosperity by hard labor and by the sweat of their brows. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the end of the paragraph. Mr. Chairman, it will be remembered by all who heard what I said a few moments ago, that I made no personal reference to any Member of the House. I did refer to Members collectively, and I am perfectly willing to say again that I believe that Members of this House collectively ought to consider whether we should continue to enact special legislation or revise our own ideas with respect to it, and comply a little more with the spirit of the Constitution of the United States.

My friend from Nebraska [Mr. Reavis] has chosen to point me out as one not friendly to the farming interests of the country, and I feel it necessary to make a brief reply. I fear that what was to be suspected from the inquiries of the gentleman from Wisconsin may be true, that some of the spokesmen of the so-called "bleeding" farmers of the country are prone to weep unnecessary tears in their eloquence before the farmer, which they must continue to shed here when they come into the Halls of Congress as the farmers' special representatives, and that they must tell us what apparently they tell the farmer at home, that he is "downtrodden," that he is outraged by the urban population, and that he must have representatives who will point him out as an object of special interest, if not of special charity, to be taken care of out of the common Treasury of the people of the United States. God forbid that I should ever come here, presumably as a representative of all the people of the United States, and plead only for those who happen to be in my district. I will plead for them anywhere, of course, but not to set them up above the farmer, whose Americanism and citizenship is equal to theirs. Yet my friend from Nebraska [Mr. Reavis] seems to assume in his statement that because I try to convince my fellow Members that we are specializing in favor of the farmer all the time, therefore I am not wholly cognizant of the farming situation. Why, I have just indicated that the papers of Nebraska, from whence the gentleman comes, and which evidently must be wet with the tears shed over the wretched condition of the farmers there, declare that the farmers of Nebraska are making more money now than are the people of Philadelphia or any other city, on the average. That statement I believe to be true; but I do not accept it as a reason why we should constantly specialize out of the Treasury of the United States for the benefit of the gentleman's constituents.

I have never inveighed against the farmer, and never shall. I may ridicule some of the pretenses which I do not believe are borne out by the facts, but that I believe to be as much a duty to the farmer as to the city man. I would make the same kind of statement I am making now, without fear that any American citizen would question my right to do so, for I have faith before the law and under the Constitution in the equality and justice of every man, whether upon the farm or in the city. It has been intimated by the gentleman from Wisconsin that the farmer is to be preferred because he produces the raw material. I have

asked him, and I ask anyone interested, whether the man who merely produces the raw material is to be preferred over him who with skilled energy and industry fabricates that raw material so that it may become an article of common use? Of what use to the farmer is his untold bushels of grain if there is no miller to grind it into flour to make it of value to the farmer himself?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Has my time again expired? I can not get started on this question at all. [Laughter.]

Mr. LINTHICUM. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. LINTHICUM: Page 5, line 6, after the word "management" insert "dairy inspection."

Mr. LEVER. Mr. Chairman, on that I reserve the point of order. As I understand it, the debate is closed on this paragraph and all amendments thereto?

The CHAIRMAN. The request of the gentleman from South Carolina to that effect was not submitted.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. LINTHICUM. Mr. Chairman, I have no idea that the sum of money mentioned in this paragraph will be sufficient for dairy inspection, though it would go a long way toward eradicating some of the evils of the milk situation in this country, and particularly in the butter situation. When we take into consideration the fact that there are to-day 2,000,000 tubercular cows in the country furnishing milk, which goes into the homes of all of the citizens of the land, we can see the seriousness of the situation, and while I do not desire to take too much time on the subject to-day, I do want to impress upon this House that it is my intention through the various organizations of this country interested in the welfare of the people to fight this dairy situation until Congress finally takes notice of how important it is to the life of the land.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. MANN. If the gentleman's proposition is to go into the bill at all, should it not come in under the Bureau of Animal Industry?

Mr. LEVER. Undoubtedly, it ought to come in there. It is not germane to this section at all.

Mr. LINTHICUM. I shall offer an amendment to that section also, but I want to bring before this House to-day the situation in the country as to the dairy products, and how important it is to the children of the land. We do not know exactly what has caused infantile paralysis, but signs and scientists point strongly toward the milk situation, and they bring to our attention the fact that we are not giving the inspection which the dairy interests of the country ought to have; and when I say you have 2,000,000 tubercular cows sending forth their diseased milk into the homes of this land, certainly it is time Congress was doing something with my resolution 137 which is hung up in the committee, and which it seems impossible for me to have considered. I merely bring the matter before the House to-day so that it can give consideration to it, so that we can go into it more thoroughly in the future. [Applause.]

Mr. LEVER. Mr. Chairman, I make the point of order against the amendment on the ground that it is not germane.

The CHAIRMAN. The point of order is sustained.

Mr. SLOAN. Mr. Chairman, I move to strike out the last word.

Mr. MANN. Debate has closed on this paragraph.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

WEATHER BUREAU.

Salaries, Weather Bureau: One chief of bureau, \$5,000; 1 assistant chief of bureau, \$3,250; 1 chief clerk, \$2,500; 1 chief of division of stations and accounts, \$2,750; 1 chief of printing division, \$2,500; 3 chiefs of division, at \$2,000 each; 8 clerks, class 4; 11 clerks, class 3; 23 clerks, class 2; 31 clerks, class 1; 22 clerks, at \$1,000 each; 10 clerks, at \$900 each; 1 foreman of printing, \$1,600; 1 lithographer, \$1,500; 3 lithographers, at \$1,200 each; 1 pressman, \$1,200; 1 printer or compositor, \$1,440; 5 printers or compositors, at \$1,350 each; 14 printers or compositors, at \$1,300 each; 1 printer or compositor, \$1,200; 6 printers or compositors, at \$1,080 each; 5 printers or compositors, at \$1,000 each; 4 folders and feeders, at \$720 each; 1 chief instrument maker, \$1,440; 3 instrument makers, at \$1,300 each; 3 skilled mechanics, at \$1,200 each; 5 skilled mechanics, at \$1,000 each; 1 skilled mechanic, \$840; 1 skilled mechanic, \$720; 6 skilled artisans, at \$840 each; 1 engineer, \$1,300; 1 fireman and steamfitter, \$840; 4 firemen, at \$720 each; 1 captain of the watch, \$1,000; 1 electrician, \$1,200; 1 gardener, \$1,000; 4 repairmen, at \$840 each; 6 repairmen, at \$720

each; 4 watchmen, at \$720 each; 18 messengers, messenger boys, or laborers, at \$720 each; 6 messengers, messenger boys, or laborers, at \$600 each; 31 messengers, messenger boys, or laborers, at \$600 each; 64 messengers, messenger boys, or laborers, at \$480 each; 5 messengers, messenger boys, or laborers, at \$450 each; 4 messengers, messenger boys, or laborers, at \$360 each; 37 messenger boys, at \$360 each; 1 charwoman, \$360; 3 charwomen, at \$240 each; in all, \$327,900.

Mr. TOWNER. Mr. Chairman, I would like to ask the chairman of the committee why it is necessary that we should have so many messengers in this particular department. I have never been able to understand why it was necessary to have 165 messengers and messenger boys in this department.

Mr. LEVER. Mr. Chairman, the gentleman understands that we have more than 200 weather bureau stations in this country, and these messengers are located in connection with these stations, very many of them. A very small number of the messengers referred to in the bill are located in the city of Washington. Most of them are located with the stations in the field.

Mr. TOWNER. It was my understanding that these messengers were located in Washington.

Mr. LEVER. Not at all.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF ANIMAL INDUSTRY.

Salaries, Bureau of Animal Industry: One chief of bureau, \$5,000; 1 chief clerk, \$2,620; 1 editor and compiler, \$2,370; 1 executive assistant, \$2,500; 2 executive clerks, at \$2,000 each; 6 clerks, class 4; 1 clerk, \$1,680; 14 clerks, class 3; 1 assistant in live stock investigations, \$1,600; 2 clerks, at \$1,500 each; 24 clerks, class 2; 2 clerks, at \$1,380 each; 3 clerks, at \$1,320 each; 1 clerk, \$1,300; 1 clerk, \$1,260; 51 clerks, class 1; 1 clerk, \$1,100; 1 clerk, \$1,080; 59 clerks, at \$1,000 each; 2 clerks, at \$960 each; 105 clerks, at \$900 each; 1 architect, \$2,000; 1 illustrator, \$1,400; 1 laboratory aid, \$1,200; 1 laboratory helper, \$1,200; 2 laboratory helpers, at \$1,020 each; 1 laboratory helper, \$1,000; 1 laboratory helper, \$960; 2 laboratory helpers, at \$840 each; 1 laboratory helper, \$720; 2 laboratory helpers, at \$600 each; 1 laboratory helper, \$480; 1 instrument maker, \$1,200; 1 carpenter, \$1,140; 2 carpenters, at \$1,000 each; 2 messengers and custodians, at \$1,200 each; 1 quarantine assistant, \$900; 1 skilled laborer, \$1,000; 9 skilled laborers, at \$900 each; 1 painter, \$900; 1 laborer, \$900; 9 messengers, skilled laborers, or laborers, at \$840 each; 3 laborers, at \$780 each; 19 messengers, skilled laborers, or laborers, at \$720 each; 4 laborers, at \$660 each; 22 laborers, at \$600 each; 26 laborers, at \$540 each; 30 laborers, at \$480 each; 2 laborers, at \$300 each; 1 laborer, \$240; 1 messenger boy, \$660; 3 messenger boys, at \$600 each; 9 messenger boys, at \$480 each; 8 messenger boys, at \$360 each; 1 watchman, \$720; 1 charwoman, \$600; 1 charwoman, \$540; 13 charwomen, at \$480 each; 5 charwomen, at \$360 each; 2 charwomen, at \$300 each; 7 charwomen, at \$240 each; in all, \$440,610.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. FOSTER. I reserve a point of order.

Mr. HAMLIN. I desire to offer an amendment.

Mr. LEVER. I think, Mr. Chairman, we had better dispose of the point of order.

Mr. FOSTER. The matter I have in mind is the increase of salaries in this paragraph and the creation of new offices. I find that the chief clerk is increased to \$2,620 from \$2,500, the compiler is increased from \$2,250 to \$2,370, and one executive assistant, which seems to be a new office, as far as I know—

Mr. LEVER. That one executive assistant is transferred from the lump-sum roll.

Mr. FOSTER. Can the gentleman give some justification for the increase of these salaries, the chief clerk and the editor and compiler?

Mr. LEVER. As to the increase of the salary of the chief clerk, the department estimated an increase of \$250. The committee adopted a policy of increasing men of this type in most cases \$120 per annum, or \$10 per month. The statement is made that this gentleman has been in the department for 17 years and has had no promotion since 1911, and at the same time appropriations for this bureau, of which he is a part, have practically doubled and the number of employees have increased by nearly 1,000, very greatly adding to the duties and responsibilities of the chief clerk, who, of course, is in charge of these employees.

Mr. FOSTER. Can the gentleman inform the committee what is the usual salary of the chief clerk in the departments or bureaus?

Mr. LEVER. They run at about \$2,500.

Mr. STAFFORD. Mr. Chairman, I will have to challenge that statement. The salaries for chief clerks in the bureaus range from \$2,000 to \$2,250, and in some exceptional cases they are \$2,500, but the average is below \$2,250.

Mr. ANDERSON. I think the gentleman is mistaken about that.

Mr. LEVER. The gentleman is mistaken, so far as the Department of Agriculture is concerned.

Mr. FOSTER. I was speaking of the other departments or bureaus.

Mr. MANN. Will the gentleman yield?

Mr. LEVER. I yield to the gentleman in the gentleman's time.

Mr. MANN. The committee has recommended increases in the salaries of a number of the chief clerks?

Mr. LEVER. Yes.

Mr. MANN. I think most of them \$10 a month.

Mr. LEVER. About \$10 a month. In all cases \$10 a month, except the private secretary.

Mr. MANN. I notice they did not recommend an increase in the chief clerk of the Weather Bureau.

Mr. LEVER. Was it recommended by the department?

Mr. MANN. I do not know. I can not see that that makes any difference.

Mr. LEVER. As I said in my statement a moment ago—

Mr. MANN. What is the difference in the responsibility of the chief clerk of the Weather Bureau and the chief clerks in a half dozen of these other bureaus where your committee recommend an increase?

Mr. LEVER. Let me refer the gentleman to what I said earlier in the day.

Mr. MANN. I heard what the gentleman said earlier in the day.

Mr. LEVER. There was no increase except where recommendation was made.

Mr. MANN. Is it a question of personal appeal?

Mr. LEVER. I do not know the man. I never saw him to my knowledge. The recommendation was made by the Secretary of Agriculture to increase this man's salary \$250.

Mr. MANN. If the chief of the bureau wants to be economical and does not ask to have the employees of his bureau raised, then there is no raise contemplated? But if the chief of the bureau is not so economical and asks for increases, then the committee gives them without regard to what they do elsewhere?

Mr. LEVER. The committee feels when the Secretary of Agriculture has made recommendation as to the salary of his own force that the Secretary ought to know more about it than the committee does.

Mr. MANN. The Secretary is a conduit through which pass the recommendations of the chief of the bureau. Suppose the chief of the bureau wants to be economical and not ask for an increase, then the Secretary does not ask for the increase. If the chief of the bureau is not so economical and does ask for an increase, the Secretary asks for the increase. I have no criticism of the Secretary. It seems to me the committee ought to consider the whole subject. If it is going to increase the salary, it ought to carry the same increase along the line, or not at all.

Mr. LEVER. I will say to the gentleman from Illinois that, for instance, the work of the Bureau of Animal Industry is more responsible, in my judgment, than the work of the chief clerk in the Weather Bureau. The appropriation is very much larger. The number of employees is very much larger in the Bureau of Animal Industry, and I do not see that you could very well get at it except through the recommendations made by the head of the department.

Mr. STAFFORD. Will the gentleman permit right there? It may not be a fair question to ask the gentleman, but I would like to ask whether he thinks the work of the chief clerk of the Bureau of Animal Industry is any more responsible than the work of the chief clerk of The Adjutant General's office, who has many clerks under him and who receives only \$2,250?

Mr. LEVER. Let me say to the gentleman that the Committee on Agriculture is furnishing the wherewithal to feed the Army. When we do that, I think we have discharged our duties. I do not know what the responsibilities of the chief clerk of The Adjutant General's office are, and I can not say—

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I ask that the gentleman's time be extended five minutes. I will ask the gentleman from South Carolina [Mr. LEVER] about a matter he knows about. He said the chief clerk of the Bureau of Animal Industry was chief of a division where the appropriation was much larger than the appropriation to the Weather Bureau, and hence the committee made a recommendation for the increase, but they made the same recommendation for an increase in the Bureau of Soils, where the appropriation is only one-third what it is in the Weather Bureau and only one-sixth what it is in the Bureau of Animal Industry.

Mr. LEVER. Mr. Chairman, the gentleman did not quite catch my statement a moment ago.

Mr. MANN. I got the gentleman's statement.

Mr. LEVER. I may be wrong, but I do not think I am. I did not say that the motive that controlled the committee was the consideration of the difference in the responsibilities of these places. What I did say in the very beginning was that it was

the recommendation of the Secretary of Agriculture on this proposition which did control the committee.

Mr. MANN. That was discussed, but the gentleman gave as an excuse for the recommendation that the Bureau of Animal Industry is more important, as it is, so far as the amount of the appropriation is concerned, than the Weather Bureau. But you recommend the same increase for the Chief of the Bureau of Soils, which is an important bureau, but it has nothing at all like the amount of work to do that even the Weather Bureau has.

Now, I am not speaking in behalf of the Weather Bureau, but in behalf of a just proposition. It seems to me that it comes back to the proposition that if the chief of a division wants to prefer somebody in his division, then the committee recommends the increase without regard to the equities of the case.

Mr. LEVER. If the gentleman from Illinois will permit me just a moment, I have a suspicion that if this committee, on its own initiative, without any recommendation whatever from the head of the department, should come in here and deliberately make these increases of salary without any recommendation whatever from the head of any department, we would hear considerable complaint on both sides of this aisle.

Mr. MANN. Let us see. Did the department recommend the 5 and 10 per cent increase?

Mr. LEVER. It did not, but the committee followed the judgment of Congress already expressed, which I think ought to be a guide to the humble Committee on Agriculture.

Mr. MANN. Oh, no; not expressed, only implied.

Mr. LEVER. We did not act upon that proposition until the House of Representatives had expressed its judgment.

Mr. MANN. I am not criticizing the committee for doing it.

Mr. FOSTER. Mr. Chairman, I make a point of order on "one chief clerk, at \$2,620, and one compiler, at \$2,370."

Mr. LEVER. I concede the point of order, and I offer the following amendment.

The CHAIRMAN. The point of order is sustained. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LEVER: On page 9, line 2, after the first semicolon, insert "one chief clerk, \$2,500."

Mr. LEVER. Mr. Chairman, I wish the Clerk would report that again.

The CHAIRMAN. Without objection, the Clerk will report that again.

The Clerk read as follows:

Amendment by Mr. LEVER: On page 9, line 2, after the first semicolon, insert "one chief clerk, \$2,500."

Mr. MANN. And "one editor and compiler, \$2,250."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LEVER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 9, in line 9, at the end of the line, by inserting "one editor and compiler, \$2,250."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The gentleman from Wisconsin withdraws the reservation of the point of order.

Mr. HAMLIN. Mr. Chairman, on line 12, page 9, after the figures "\$1,680," I move to strike out "14" and insert "13."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. HAMLIN: On page 9, line 12, amend by striking out the figures "14" and inserting the figures "13."

Mr. HAMLIN. And after the semicolon, in line 13, add the words "one proof reader, \$1,800."

Mr. LEVER. Mr. Chairman, I reserve a point of order on that until I can find out what it is.

Mr. HAMLIN. After the semicolon following the figures "\$1,600," in line 13, insert the words "one proof reader, \$1,800."

The Clerk read as follows:

Amend, on page 9, line 13, after the figures "\$1,600," by inserting the words "one proof reader, \$1,800."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

Mr. LEVER. I had reserved it already.

Mr. STAFFORD. Not the latter part of the amendment.

Mr. HAMLIN. Mr. Chairman, my information in regard to this one clerk is that his work over there is that of a "proof

reader." That is exactly the work that he is doing now. In other divisions of the same department others are doing the same work and are designated as "proof readers," and are being paid \$1,800 a year. This particular "proof reader" has added to his designation on the department rolls "and clerk," and is carried on the roll with the pay of a clerk, but for over nine years he has been doing the work of proof reader. That is altogether his work, and he feels, and I feel, that doing the same work that these other proof readers are doing he ought to draw the same pay. It ought to be equalized.

Mr. STAFFORD. What salary does he receive?

Mr. HAMLIN. One thousand six hundred dollars.

Mr. STAFFORD. Perhaps when his services as proof reader are not needed under this language he is utilized as a clerk. If it were not for that fact, no doubt the department would not make the recommendation that it has made.

Mr. HAMLIN. The department does not always discriminate and look out for these fellows. They get them pigeonholed, and they go on and do the work without proper recognition. I offer the amendment in the interest of equity as between the men over there who are doing the same work. If the others draw \$1,800 for like service, then he should draw \$1,800.

Mr. LEVER. Mr. Chairman, let me ask the gentleman from Missouri where on the statutory roll are the proof readers carried? I do not find them on the statutory roll.

Mr. HAMLIN. I do not know that I can give the gentleman that information. The present designation of this gentleman is "proof reader and clerk." I do not know whether he is on the statutory roll.

Mr. LEVER. In the Bureau of Animal Industry?

Mr. HAMLIN. Yes; in the Bureau of Animal Industry.

Mr. LEVER. Evidently he is carried on a lump-sum appropriation.

Mr. HAMLIN. No. He is carried as one of these \$1,600 clerks.

Mr. MANN. Maybe he will get promotion under this bill. The bill authorizes him to get \$1,800.

Mr. HAMLIN. Where?

Mr. MANN. It increases the number of clerks of class 4 from five to six. Those are \$1,800 clerks. If they think he is the man who ought to get the increase, he will get it.

Mr. HAMLIN. He is in class 3.

Mr. MANN. And he is subject to promotion to class 4, and there is an increase in the number of clerks of class 4 from five to six.

Mr. HAMLIN. I do not imagine that would help him, because he is a proof reader, as a matter of fact.

Mr. MANN. He will get it if they think he is the one who ought to have it. If they think he is not, then some other fellow will get it.

Mr. HAMLIN. I am not certain. I admit I do not know about that. I simply felt that this man ought to be paid the same amount for the same work that others are being paid over there in the department who are doing identically the same work.

Mr. LEVER. I do not think this amendment is subject to a point of order, and therefore I withdraw my reservation—

Mr. MANN. Why is it not subject to a point of order?

Mr. STAFFORD. I continue my reservation of the point of order.

Mr. LEVER. I think we have a right to change the number of proof readers.

Mr. STAFFORD. There is no law for that position. There is no such office created by the statute.

Mr. LEVER. So far as I am concerned, I trust the amendment, if in order, will be voted down, for the reason that we have provided in this bill the 5 and 10 per cent increases which are provided in the legislative bill, and no recommendation of this increase for this particular man was made from the department. The committee has no information about it, except as the gentleman from Missouri [Mr. HAMLIN] has given it to us this morning, and I feel that it would be setting a rather bad precedent to adopt this amendment. I think we can dispose of it as quickly by voting upon it as we can in the other way.

Mr. MANN. The amendment is subject to a point of order.

Mr. STAFFORD. I make the point of order.

Mr. HAMLIN. I think it is subject to a point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I see the committee have provided for a number of laborers, some new ones, at \$300 each; some messenger boys, at \$600 each; one messenger boy, at \$660; and various other laborers, at \$600 each, in this bureau. I never have been able to understand quite how they work this thing out in this bill.

Generally you provide for laborers or messengers, but when you put in new provisions for laborers at \$300 and messenger boys at \$660, I can not quite understand the logic of that proposition.

Mr. LEVER. What line is the gentleman referring to?

Mr. MANN. Page 10, lines 8, 9, 10, and 11. You have got 22 laborers, at \$600 each; 26 laborers—which is an increase in the number—at \$540 each; 30 laborers, at \$480 each; a new item of 2 laborers at \$300 each; 1 laborer, at \$240; 1 messenger boy, at \$660—that is a new item; 3 messenger boys, at \$600 each, and so forth. How do you draw the line, giving a laborer \$300 and a messenger boy \$660?

Mr. LEVER. Let me say to the gentleman that all of the additions to the number of these messenger boys or laborers are by way of transfers from the lump-sum fund of this bureau. They are really not new places, but they have not been carried on the statutory roll heretofore. They have been transferred at the same salaries they now receive and under the same designations.

Mr. MANN. I do not see that that gives any information yet. If the gentleman has not got it, I have no criticism. Of course, I know that is the difficulty about the lump-sum appropriation in the Department of Agriculture. If they want to take anybody into the service they take him in through the lump-sum appropriation. Then they ask Congress afterwards to put him on the statutory roll at the salary which they provide.

Mr. LEVER. If the gentleman is getting at the reason for the difference in salary, I will tell him very frankly that I do not have the information. We did not make any inquiry about it. It is printed in the bill as it came to us in the estimates.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For all necessary expenses for the eradication of southern cattle ticks, \$631,560, of which sum \$50,000 may be used for live stock and dairy demonstration work, in cooperation with the States Relations Service, in areas freed of ticks, and of this amount no part shall be used in the purchase of animals: *Provided, however*, That no part of this appropriation shall be used in the purchase of materials for or in the construction of dipping vats upon land not owned solely by the United States, except at fairs or expositions where the Department of Agriculture makes exhibits or demonstrations; nor shall any part of this appropriation be used in the purchase of materials or mixtures for use in dipping vats except in experimental or demonstration work carried on by the officials or agents of the Bureau of Animal Industry.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Here is a lump-sum item, as most of the items are in this section of the bill, for \$631,560, for the eradication of southern cattle ticks. This is a very large appropriation for a specific purpose. It has been carried in the bill heretofore. I should like to ask the chairman of the committee in charge of the bill whether this appropriation is larger than it was last year?

Mr. LEVER. The appropriation is identical with that of last year.

Mr. MOORE of Pennsylvania. There is no change?

Mr. LEVER. There is no change in it.

Mr. MOORE of Pennsylvania. Can the gentleman state how many men are employed in the eradication of southern cattle ticks?

Mr. LEVER. I can not state the number offhand. Quite a number, of course.

Mr. MOORE of Pennsylvania. A total of \$631,560 would enable the department to employ a very large number of men, I assume.

Mr. LEVER. Oh, yes.

Mr. ANDERSON. There are about 350.

Mr. MOORE of Pennsylvania. The gentleman from Minnesota states that there are about 350.

Mr. LEVER. That information is available to the committee, but of course I can not carry all the figures in my mind.

Mr. MOORE of Pennsylvania. I understand, but the public at large does not see the report of the committee, and I am asking this information for the purpose of getting it into the Record.

Mr. LEVER. I shall be glad to put the figures into the Record.

Mr. MOORE of Pennsylvania. How many of these 350 men are special experts, and how many are laborers?

Mr. LEVER. I will put the figures into the Record.

Mr. MOORE of Pennsylvania. If the gentleman will state the percentage that will be satisfactory.

Mr. LEVER. The larger number of these men engaged in cattle-tick work must be men of some little scientific information.

Mr. MOORE of Pennsylvania. This question has been asked before, but I ask it again, for the purposes of the Record: How

are the salaries of the experts, scientists, and specialists employed in this work fixed? They are not fixed by law, as in other departments?

Mr. LEVER. Oh, no. These salaries are paid out of the lump-sum appropriation of \$631,560, and are fixed by the Chief of the Bureau of Animal Industry with the Secretary of Agriculture. The salaries range from \$1,000 to \$5,000.

Mr. MOORE of Pennsylvania. May I ask how these appointments are made; through the civil service or through the chief of the bureau?

Mr. LEVER. My impression is that all these scientific men are appointed through the civil service.

Mr. MOORE of Pennsylvania. During the consideration of the bill last year the gentleman from South Carolina himself introduced an amendment, after some agitation of the subject, looking to the publication of the names or salaries of the various employees of the Department of Agriculture. Has such a list been prepared and presented to Congress?

Mr. ANDERSON. I think the gentleman from Pennsylvania is mistaken. There was an amendment which required the Secretary of Agriculture to include in his estimate a list of the employees of the department without naming them; that is, the various offices and the salaries attached to them.

Mr. MOORE of Pennsylvania. Has that been done?

Mr. ANDERSON. Yes; it is in the estimates.

Mr. MOORE of Pennsylvania. But the names of the various employees are not given?

Mr. ANDERSON. No.

Mr. MOORE of Pennsylvania. And the gentleman says the resolution did not provide for it?

Mr. ANDERSON. No; I think the gentleman from Pennsylvania proposed something of the kind.

Mr. MOORE of Pennsylvania. I did, and was defeated each time; but finally the gentleman from South Carolina, I think, did offer an amendment, and it was agreed to.

Mr. LEVER. I think the gentleman is mistaken in saying that I offered the amendment. I think the gentleman from Minnesota [Mr. ANDERSON] made it.

Mr. MOORE of Pennsylvania. But it came from the committee?

Mr. LEVER. It came from the committee.

Mr. MOORE of Pennsylvania. I understood that we would receive information as to the names and the salaries of the various special employees of the department.

Mr. LEVER. No.

Mr. ANDERSON. If the gentleman will look at the estimates, he will find under every lump sum a list of the various employees, with the salary paid for the employment, and the number of men in each particular class.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For all necessary expenses for investigations and experiments in dairy industry, cooperative investigations of the dairy industry in the various States, inspection of renovated-butter factories and markets, \$378,930.

Mr. LINTHICUM. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 13, line 15, after the comma following the word "States," insert the words "eradication of tuberculosis in cattle."

Mr. LEVER. Mr. Chairman, I reserve a point of order on that, and I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Chairman, it is not my intention to again take very much time, although I shall ask to extend my remarks in the RECORD. I want to call the attention of the House to the fact that the report of the Bureau of Animal Industry for 1916 is just out. Therein is a statement that 10 per cent of the dairy cattle are affected with tuberculosis and 9 per cent of the hogs inspected during the past year were found to be so affected; that the cash loss caused thereby is \$25,000,000 per annum. The bureau recommends pasteurization of skimmed milk, and so forth, as being effective.

The annual report of the Bureau of Animal Industry for 1916 shows that 252,686 cattle and hogs were condemned at the meat-inspection plants for all quarters, and that of this number 111,194 were condemned for tuberculosis. That is, 43.9 of the entire cattle and hogs that were condemned was by reason of tuberculosis.

Now, the question is, How long shall we continue without legislation to prevent this dreadful cause which results in the death of so many children of the country? I do not wish to make the statement that the milk production of this country has been responsible for infantile paralysis, but I do want to read what I have gathered from certain sources of authority.

In my extended remarks I propose to give exhibits of all the matters I have stated herein, and it will be a great pleasure to me to learn that the information given the Members of the House has caused them to look into the subject a little more deeply. It is well enough to talk about pasteurization, but why not go to the source of the evil to this great food supply of the human system without patching it up, without attempting to remove its injurious effect by pasteurization.

I want to refer to exhibit 14 in reference to the paralysis germ.

Mr. FOSTER. Will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. FOSTER. What evidence has the gentleman that the paralysis germs are in the milk?

Mr. LINTHICUM. That is just what I am coming to.

On September 12, 1916, there was printed in the New York Herald a letter from Nathan Straus to Surg. Gen. Rupert Blue, in which Mr. Straus called attention to the fact that not one of the 2,500 babies fed on Straus pasteurized milk had contracted infantile paralysis, although the 2,500 babies were in the worst-infected district in New York. Mr. Straus called attention to the situation which is too startling to be a coincidence. It is also well known that the milk most generally sold in New York City is dipped milk. That is not bottled but open to all sorts of infection.

Mr. Straus's letter stirred great interest and some opposition. On October 16, 1916, the Washington Post, of this city, published a half column under the head "Finds Paralysis Germ," in which the statement is flatly made that the germ of infantile paralysis is carried in milk or water.

I read from the clipping handed me from the Washington Post of that date:

FINDS PARALYSIS GERM—BALTIMORE SCIENTIST SAYS IT IS INTRODUCED IN RAW FOODS—NO CONTAGION BY CONTACT—DREADED POLIOMYELITIS, OR INFANTILE PARALYSIS, GIVEN TO BABIES IN MILK AND WATER, TO OTHERS IN UNCOOKED FRUITS AND VEGETABLES—RABBIT WAS INFECTED.

BALTIMORE, October 15, 1916.

A rabbit used in the pathological department of Johns Hopkins Hospital to determine the method of transmission of the infantile paralysis germ has developed the disease, it was announced to-night.

Dr. Montrose T. Burrows, of the hospital, who discovered that the germ is taken into the system by the mouth, in milk and water, said that the experiment with the rabbit means another important advance toward solving the whole problem of poliomyelitis.

One of the legs of the rabbit has become paralyzed.

TRY IT ON MONKEYS.

Transmission will be next attempted through two monkeys.

The mystery surrounding the cause of the spread of infantile paralysis has been solved, according to an official of Johns Hopkins Hospital.

Extensive research conducted by Dr. Burrows, pathologist of the hospital, has resulted in the discovery of the infantile paralysis germ, the existence of which was established nine years ago by Dr. Simon Flexner, of the Rockefeller Institute.

PRESENT IN RAW FOODS.

Present always in every case of the disease a germ has been found in the big intestine, showing that the disease is spread by some raw food. That that food is milk or water is established by the fact that babies whose only diet has been milk or water died of the disease. Dr. Burrows and his assistants, under the direction of Prof. William H. Welch, have been making autopsies upon every victim of the disease since July. They have conducted a careful microscopic search.

Of the diseased organs it has been found that the germs occur only in the colon. The investigations prove that 100 per cent are infected in this big intestine. Since it is only possible for the germ to enter the big intestine by way of the mouth, food and drink must be the carrier.

RAISE QUARANTINE.

The investigators are so certain that this is true and that there is no other way for the disease to be contracted that they suggest that the quarantine be raised against personal contact and that all raw foods, such as milk, water, fruits, etc., be sterilized, boiled, or cooked before being given to children or others.

The investigators find that house flies and other insects undoubtedly help to spread the germ from one food to another. This discovery is the first one that has been given out officially by Johns Hopkins Hospital before it has been published in a recognized medical journal.

The spread of the disease is so much like that of typhoid fever and its method of communication that the investigators are sure they have hit upon a way to make an antipoliomyelitis vaccine like the antityphoid vaccine that stamped out typhoid in the United States Army.

The two incidents taken together point to milk as being the source of infection, for where pasteurized milk was given the Straus-fed babies the water failed to infect a single child.

I do not wish to be always taking up the time of the House pointing to this evil, but I tell you it is just as essential to see that we have pure milk and dairy products as it is to see

that we have pure meats or any other food which forms an important part of the food products of our people.

Mr. FOSTER. Mr. Chairman, will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. FOSTER. I want to ask the gentleman whether he believes that through milk is the only way in which the germ is carried?

Mr. LINTHICUM. Many scientists have practically decided that it is either carried by milk or by water, and the fact that most of this infantile paralysis was found to exist in children who consumed only milk and water made a very strong suspicion in that direction.

Mr. FOSTER. Would not pasteurization kill those germs?

Mr. LINTHICUM. Yes; it would, but my contention is this: Why let a diseased product continue to exist when you can eradicate it at its source. It is better to do that than to wait to patch it up and cure it by pasteurization.

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. LEVER. Does the gentleman realize that we are now carrying in this bill an appropriation of \$75,000 for the purpose of conducting a campaign for the eradication of tuberculosis in cattle and hogs?

Mr. LINTHICUM. I certainly recognize that fact, and I recognize the further fact that the gentleman who is carrying on that inspection said at the hearings upon resolution 137 that it would not have the effect desired, because it was merely inspection, and they have no way to punish until it is finally discovered in the product.

Mr. FARR. Has the gentleman a method by which he thinks he can eliminate the trouble?

Mr. LINTHICUM. I have not asked for any legislation upon the subject. I have merely asked that a resolution be passed and that a committee be appointed to investigate as to what legislation is necessary.

Mr. FARR. To eliminate tuberculosis in cattle?

Mr. LINTHICUM. Yes.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes, in addition to the time already allotted for debate upon this section.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Chairman, the gentleman has evidently given a good deal of attention to this matter and is an expert upon the subject.

Mr. LINTHICUM. I am not an expert.

Mr. HAUGEN. I desire to ask a question, whether the gentleman has any method or remedy to suggest for the eradication of tuberculosis? I think there is no question but that it should be eradicated.

Mr. LINTHICUM. I should adopt similar methods to that we have adopted in eradicating the foot-and-mouth disease, but it is not my desire to give any specific method myself, because I believe the Department of Agriculture knows more about the situation than I do. I should be willing to leave the legislation required and methods to them.

Mr. HAUGEN. We have eradicated the foot-and-mouth disease by the slaughter of the stock and paying for them. Does the gentleman suggest that that should be done in eradicating tuberculosis?

Mr. LINTHICUM. I make this statement, that the death of one child caused by tuberculosis is worth every dollar that Congress could appropriate to eradicate tuberculosis in cattle.

Mr. HAUGEN. That is not the question. Has the gentleman any remedy to suggest?

Mr. LINTHICUM. My remedy would be, if it is necessary, then, to destroy the cattle having tuberculosis and pay for them at such rate as determined, pasteurize all dairy products, compel tubercular test, have compulsory sanitation in handling, storing, and marketing in interstate business, and put the milk supply upon a sound basis.

Mr. HAUGEN. The gentleman appreciates that \$278,000 would not accomplish the desired result?

Mr. LINTHICUM. I know that under this we could only touch the high spots.

Mr. HAUGEN. The gentleman is aware of the fact that we have, in all, about 21,000,000 dairy cows, valued at about \$1,185,119,000. Ten per cent of that is \$118,511,900, and 7 per cent of the 39,453,000 other cattle, valued at \$1,321,135,000 would be \$39,000,000, which would require an appropriation of \$210,000,000. Is the gentleman willing to appropriate \$210,000,000 for the eradication of tuberculosis?

Mr. LINTHICUM. Would the gentleman from Iowa put \$210,000,000 against the death of 6,000 infants in this country caused by tuberculous cattle? Is that what the gentleman means to say?

Mr. HAUGEN. I am willing to cooperate with the gentleman in the eradication of tuberculosis in cattle, but first we should have or decide upon some different and effective plan.

Mr. LINTHICUM. I mean to say this, that if it is necessary to spend \$210,000,000 to eradicate tuberculosis in cattle to save the lives and suffering of 6,000 infants in the country and the maiming of thousands of others, then we should spend \$210,000,000.

Mr. HAUGEN. I will call the gentleman's attention to the fact that \$210,000,000 is a mere start, and \$210,000,000 will not eradicate tuberculosis. The value of all farm animals is estimated to be over \$6,000,000,000, and 10 per cent of that amount is over \$600,000,000, therefore I believe we better leave it to the department to work out some plan how to exterminate tuberculosis.

Mr. LINTHICUM. I do not think it would be necessary to destroy all of these cattle by any means.

Mr. HAUGEN. Not all of them.

Mr. LINTHICUM. But we should segregate them, and we should pasteurize and look after the milk, and we should put it into other lines of business rather than have it go into the mouths of the children. I think we could devise some system by which a separation of the diseased cattle could be brought about by which the worst of them could be destroyed.

Mr. HAUGEN. I agree with the gentleman, but is it not better to leave it to the experts of the department and have them devise some plan in eradicating it rather than to have a committee appointed?

Mr. LINTHICUM. You want to leave it to the experts of the department, and the department says that effective legislation has not been passed. The department asks for a remedy and Congress refuses to pass legislation necessary.

Mr. HAUGEN. But we have carried out the suggestion made by the department and have confidence in its ability to cope with the situation.

Mr. LINTHICUM. I read to you the report of the Chief of the Bureau of Animal Industry, page 6:

THE TUBERCULOSIS PROBLEM.

A practicable and effective method of eradicating tuberculosis of live stock is greatly to be desired. This is a problem to which the bureau has given much study. The protection of human health against tuberculosis from animal sources may be reasonably assured by the pasteurization of milk and the inspection of meats. But there remains the economic problem of eliminating the heavy and increasing losses due to the insidious spread of this disease among farm animals.

Cattle and hogs are the most susceptible species and the only ones that need to be considered. There is abundant evidence of the wide prevalence of tuberculosis among these animals. Statistics of tuberculin testing indicate that on an average over 10 per cent of the dairy cattle in the United States are affected with tuberculosis, and in the Federal meat inspection 2½ per cent of the beef cattle and 9 per cent of the hogs inspected during the past fiscal year were found to be so affected. The annual losses directly caused by this disease are estimated at \$25,000,000. In the face of growing demands and higher prices for food products the Nation can not afford to ignore indefinitely such an enormous leakage in its meat and milk supplies.

The most practicable avenues of approach to the problem of tuberculosis eradication seems to be through the pure-bred herds of breeding cattle and the feeding of hogs. This means simply the application of the old principle of purifying the stream at its source. Many herds of fine pedigreed cattle have harbored tuberculosis, and many a stock raiser wishing to improve his stock has instead brought disaster to himself by the introduction of tuberculous pure-bred animals into his herd.

Hogs, because of the early age at which they are slaughtered, do not propagate the disease among their own kind to any appreciable extent, but acquire it from cattle either by drinking infected milk or by following cattle in the feed lot and feeding upon the undigested grain in the droppings. Raw skim milk returned from creameries to patrons and fed to pigs is a prolific source of the disease in swine. The milk from many herds is mixed at the creamery, and if even one lot has the germs of tuberculosis in it the entire quantity may become infected. The remedy for this is simple—merely to pasteurize the skim milk before allowing it to leave the creamery. This should be required by law.

The elimination of tuberculosis from the pure-bred herds should be accomplished gradually by utilizing the tuberculin test in conjunction with other appropriate measures. In any event the cooperation of the Federal and State Governments and individual breeders will be necessary. One of the first steps should be to spread among the people concerned a knowledge of the facts as to the nature of tuberculosis, how it is spread, and how it may be prevented.

Mr. FARR. What is the department doing in a practical way to eradicate the disease other than by destroying the cattle?

Mr. LINTHICUM. They are not destroying the cattle. They are inspecting, and when they can find that product in some dairy or butter factory is diseased, then they condemn it. But there is no general inspection of milk products.

Mr. FARR. There is no effort being made to eradicate it in any other way?

Mr. LINTHICUM. They are endeavoring—

Mr. FARR. To seek the specific cause?

Mr. LINTHICUM. To clean up things generally under such legislation they have, but they need proper legislation to bring about desired results.

Mr. FOSTER. Mr. Chairman, I ask unanimous consent, if the gentleman is willing, to have one minute, not to be taken out of the time.

The CHAIRMAN. The gentleman from Illinois [Mr. FOSTER] asks unanimous consent to have one minute in addition to the time already allotted. Is there objection?

Mr. LEVER. I will not object to that request, but I will object to any further extension of the time.

Mr. FOSTER. Mr. Chairman, I am fully in sympathy with the gentleman from Maryland in seeking to stamp out tuberculosis among cattle, but I want to read for his information the hearings on page 98, in which Dr. Melvin says:

Our department undertook the eradication of tuberculosis in the District. Of course, there were a very small number of cattle in the District—about 1,000 head—probably less than that now; and we succeeded in doing that. In the neighboring herds of Maryland and Virginia, supplying milk to the District, we undertook to cooperate with the local health service, and we succeeded in reducing the disease in such herds from about 18 per cent down to, I think, about 2 per cent.

Now, I want to say this, that I do not know what the State of Maryland is doing, and I wanted to ask the gentleman. But I know in some States they are making very active efforts to stamp out tuberculosis; doing all they can. The transporting of milk or butter or other products of the dairy is in interstate commerce and can only be reached by the Federal Government in that way. And so this duty devolves largely upon laws that are enacted by the different States to stamp out the disease. I know some States have most excellent laws and are doing a great work along this line, but without the cooperation of the States the Federal Government can not do that.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The gentleman from Nebraska [Mr. SLOAN] is recognized.

[Mr. SLOAN addressed the committee. See Appendix.]

The CHAIRMAN. The time of the gentleman from Nebraska has expired. Does the gentleman from South Carolina insist on his point of order?

Mr. LEVER. I insist on the point of order.

The CHAIRMAN. Does the gentleman from Maryland [Mr. LINTHICUM] wish to be heard on the point of order?

Mr. LINTHICUM. I do not see, Mr. Chairman, why that is subject to a point of order.

Mr. LEVER. Mr. Chairman, I make the point of order on the ground that this amendment is not germane to this paragraph, the works of tuberculosis eradication being carried in a previous paragraph and already passed.

Mr. LINTHICUM. Mr. Chairman, this paragraph says:

For all necessary expenses for investigations and experiments in dairy industry, cooperative investigations of the dairy industries in the various States, inspection of renovated butter factories and markets.

Now, certainly those are very broad terms, and the further addition of the "eradication of tuberculosis" ought not to be subject to a point of order. I do not see why the gentleman wants to make a point of order upon the flimsy ground that the subject is carried in the previous paragraph. Why should that be used as the reason?

Mr. LEVER. I put it on the "flimsy" ground that we do not want to clutter up the bill by repetitions that do not mean anything.

Mr. LINTHICUM. As to each paragraph where I might put the amendment the gentleman from South Carolina or some one else says it is not the right paragraph and that it ought not to be in that place.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. LINTHICUM. I yield to the gentleman; certainly.

Mr. MANN. Under the amendment suggested by the gentleman, providing for the eradication of tuberculosis, does that authorize the purchase or payment for cattle which are killed?

Mr. LINTHICUM. I do not know that it would authorize the payment for cattle which are killed, but it would certainly authorize the segregation of the cattle and separate them and eradicate them by a general system that could be adopted, which would not be very expensive to the Government.

Mr. MANN. Would it not authorize that term "eradication of tuberculosis"?

Mr. LINTHICUM. It may be the same with reference to cattle ticks and other things of that kind.

Mr. MANN. It does authorize the killing of cattle ticks, and it makes an appropriation for it.

Mr. LINTHICUM. I think it is germane to the subject.

Mr. STAFFORD. The Chair will notice that the paragraph under consideration is limited exclusively to matters pertaining to the dairy industry. Under that present phraseology the Secretary of Agriculture would have no right to go out and investigate conditions, so far as cattle are concerned. It is the industry. It is limited to that. Even cooperative industry is limited to the dairy industry and markets. The idea is that the paragraph is limited to the industry itself and not to cattle generally.

Mr. LEVER. Investigations.

Mr. STAFFORD. Yes.

The CHAIRMAN (Mr. HARRISON of Mississippi). The Chair is of the opinion that under this paragraph the amendment is not germane. It is carried in a previous paragraph, contained on page 12, that treats of the subjects this amendment deals with. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For all necessary expenses for investigations and experiments in animal husbandry; for experiments in animal feeding and breeding, including cooperation with the State agricultural experiment stations, including repairs and additions to and erection of buildings absolutely necessary to carry on the experiments, including the employment of labor in the city of Washington and elsewhere, rent outside of the District of Columbia, and all other necessary expenses, \$250,300: *Provided*, That of the sum thus appropriated \$22,840 may be used for experiments in the breeding and maintenance of horses for military purposes: *Provided further*, That of the sum thus appropriated \$45,380 may be used for experiments in poultry feeding and breeding, including the feeding and breeding of ostriches and investigations and experiments in the study of the ostrich industry.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. If I have been correctly advised, this item includes an allotment of \$25,000 for farm sheep demonstrations in cooperation with the States Relations Service and the agricultural colleges.

Mr. LEVER. There is a total increase, I will say to the gentleman, in this item of \$53,800. Twenty-five thousand dollars of that will be devoted to the matter of sheep farm demonstration in connection with the States Relations Service.

Mr. MOORE of Pennsylvania. What assurance have we that that \$25,000 will be expended for this purpose?

Mr. LEVER. We have the assurance of the Department of Agriculture itself, which asked for a \$25,000 increase of this item for that purpose.

Mr. MOORE of Pennsylvania. Will the gentleman state why it is not specifically referred to in the bill?

Mr. LEVER. It is for the reason that the committee does not feel that it ought to segregate all these various small items, because it makes the bill too cumbersome and too hard to handle.

Mr. MOORE of Pennsylvania. Well, Mr. Chairman, I desire to make a few observations with respect to this paragraph. During the discussion last year, and I think previously, an effort was made to have consideration given to what we might call sheep culture in the United States, the development of the sheep industry, which has suffered sadly through the rapacity of the dogs of the country.

There is a demand for wool, a high price for wool, and the fabricators of wool in the various grades, to whom reference was made here this morning, are anxious for an opportunity to work upon this raw product of the farmer. So far as the wool as produced by the farmer is concerned, it would be simply wool and of advantage to him only in the form of sheep rugs or such crude articles as the handicraft of his own family might weave. If it goes into the mills and factories of the country where it would have to go through various processes, from the washing and scouring up to the weaving and dyeing of it, that would require new capital and labor.

This in a way answers such questions as were raised by the gentleman from Wisconsin and the first gentleman from Nebraska who spoke a while ago, rather exalting the farmer at the expense of the city man. I contend that the farmer would be left high and dry under his own vine and fig tree, in the wilderness in which he started, if it were not for the expenditure of effort on the part of others to make his products worth while. He would have his own products for himself, to be sure.

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield.

Mr. LEVER. I wonder if the gentleman from Pennsylvania does not know that every true friend of agriculture recognizes the relationship that must exist between the man on the farm and the man in the city, and that we are the best friends in the world, as a matter of fact?

Mr. MOORE of Pennsylvania. I am very glad the gentleman makes that statement, and coming from the head of this powerful committee and from one of the most popular farmers' friends in the House, I am mighty glad to make acknowledgment of it. It tends to contradict the impression I have been trying to discredit here, that there was any difference whatever between the farmer on the one hand and the city man on the other. Their interests are identical, and one is dependent on the other; no matter how we may view their various economic situations.

The gentleman having made this interesting admission—

Mr. LEVER. It is not an admission. It is the statement of a recognized fact.

Mr. MOORE of Pennsylvania. The gentleman has a keen national apprehension of this matter, and while he will take care of the southern cattle tick and the interests of South Carolina also, at times I am glad to observe that he is broad enough to encompass the whole country in his purviews. That is what I like to see on the part of any real representative of the American people. [Laughter.] But what I am not able to understand is why we do not put in this Agricultural bill the same specific provisions with regard to appropriations and salaries that we require in every other appropriation bill. Here is a lump-sum appropriation of \$250,800, which is to cover certain lines of work to be laid down by the Secretary of Agriculture. We have no check upon the wages to be paid nor the allotments to be made in this particular instance except as it appears in the committee report. While I am interested in this \$25,000 sheep item for the benefit of the farmer and of the city man alike, neither having any preference over the other in this regard, I have no assurance that this \$25,000 will be expended except as it appears in the report of the committee.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent, Mr. Chairman, to proceed for five minutes.

The CHAIRMAN (Mr. RUSSELL of Missouri). The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes. Is there objection?

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on the paragraph and all amendments thereto close in 10 minutes.

Mr. LINTHICUM. I object.

Mr. LEVER. Then I move, Mr. Chairman, that all debate on this paragraph and amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from South Carolina moves that all debate on this paragraph and amendments thereto close in 10 minutes. The question is on agreeing to that motion.

Mr. MOORE of Pennsylvania. Mr. Chairman, I have no desire to discuss this further. I withdraw my request for further time on this paragraph.

The CHAIRMAN. Will the gentleman from South Carolina now withdraw his motion?

Mr. LEVER. I withdraw my motion, Mr. Chairman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For all necessary expenses for scientific investigations in diseases of animals, including the maintenance and improvement of the bureau experiment station at Bethesda, Md., and the necessary alterations of buildings thereon, and the necessary expenses for investigations of tuberculin, serums, antitoxins, and analogous products, \$134,600: *Provided*, That of said sum \$50,000 may be used for researches concerning the cause, modes of spread, and methods of treatment and prevention of the disease of contagious abortion of animals.

Mr. LINTHICUM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Maryland offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LINTHICUM: Page 14, line 8, after the word "animals," insert the words "eradication of tuberculosis in cattle."

Mr. LEVER. I make a point of order against that amendment, that it is not germane to this paragraph.

The CHAIRMAN. Does the gentleman desire to be heard on the point of order?

Mr. LINTHICUM. Mr. Chairman, this is the paragraph which deals with investigation of diseases of animals—

For all necessary expenses for scientific investigations in diseases of animals.

This is certainly one of the diseases of animals. I do not see why it is not germane.

Mr. STAFFORD. Will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. STAFFORD. Does not the gentleman recognize the difference between investigation of a disease and eradication of a disease?

Mr. LINTHICUM. What is the gentleman's difference? I am after results.

Mr. STAFFORD. I hope the gentleman can conceive the difference.

Mr. FARR. I suggest to the gentleman that he change the phraseology of his amendment.

Mr. LINTHICUM. I ask unanimous consent to change the amendment so as to read "investigation of tuberculosis in cattle."

Mr. KELLEY. This paragraph says:

Investigations in diseases of animals.

Why specialize? Is not the general language enough?

Mr. LINTHICUM. Because I want in particular to get an investigation of this subject.

Mr. QUIN. The paragraph itself says:

For investigations of tuberculin.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Maryland as modified.

The Clerk read as follows:

Page 14, line 18, after the word "animals," insert the words "investigation of tuberculosis in cattle."

Mr. LEVER. I ask unanimous consent that debate on that paragraph and all amendments thereto close in five minutes.

Mr. LINTHICUM. I have no desire to debate the amendment.

Mr. LEVER. I ask for a vote on the amendment.

The amendment was agreed to.

The Clerk read as follows:

For investigating the disease of hog cholera, and for its control or eradication by such means as may be necessary, including demonstrations, the formation of organizations, and other methods, either independently or in cooperation with farmers, associations, State or county authorities, \$413,100: *Provided*, That of said sum \$172,240 shall be available for expenditures in carrying out the provisions of the act approved March 4, 1913, regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals: *And provided further*, That of said sum \$32,060 shall be available for researches concerning the cause, modes of spread, and methods of treatment and prevention of this disease.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. The hog-cholera item this year is \$413,100, a very large sum of money to be appropriated for a specific purpose. I suppose if that amount of money were to be applied in the public-building bill to the erection of 15 or 20 permanent structures, to stand throughout the balance of our years, there would be some criticism of it in the House. It is possible that the chairman of the committee may be willing to explain the need for this \$413,100 for this specific purpose for the coming year.

Mr. LEVER. Mr. Chairman, this item has been increased for the next fiscal year \$60,000, but as a matter of fact the additional amount that will be available for the next fiscal year as over the present fiscal year will be only \$15,000, inasmuch as there has been an unexpended balance out of another appropriation with which they have been working during this present fiscal year.

Now, Mr. Chairman, as to the reason why this large sum should be appropriated for the purpose of controlling hog cholera in this country, that question ought to answer itself. It is estimated by experts who ought to know that the annual losses from hog cholera in this country amount to anywhere from \$40,000,000 to \$60,000,000. That is a burden upon the constituents of the gentleman in Philadelphia. It is estimated that there is an annual loss in cattle on account of the cattle tick or Texas fever of something like \$40,000,000 or \$50,000,000, which, of course, is a burden upon the constituents of the gentleman who eat the beef. It is estimated that there is an annual loss of \$25,000,000 in this country on account of tuberculosis in cattle and hogs, which, of course, adds to the price of beef and pork, which the constituents of the gentleman have to buy. So I repeat, after all, there is no quarrel between the constituents of the gentleman in Philadelphia and the constituents of myself in South Carolina, because his interest is my interest and his folks can not eat unless my folks produce.

Mr. MOORE of Pennsylvania. That is entirely correct. The gentleman is as intelligent and as fair in this statement as he was in his former statement, and I make public acknowledgment of that fact. Now, may I ask the gentleman a serious question?

Mr. LEVER. I have been making a serious statement.

Mr. MOORE of Pennsylvania. If we make this appropriation of \$413,100, which comes out of the Public Treasury to which we all contribute, can we get pure "pork" in the great cities?

Mr. LEVER. The matter of pure pork in the great cities is carried in the item for meat inspection, and not here. What we are doing here is to get more pork, not pure pork. We take care of the pure pork elsewhere.

Mr. MOORE of Pennsylvania. I hope the gentleman will be quite as serious, and will refrain from seeing the jocular side of this question when the public-building bill comes up. But, again,

I want to know whether the disease of hog cholera has been brought within narrower limits by reason of the appropriations made last year?

Mr. LEVER. The reports of those in charge of this work are very favorable to an encouraging reduction in hog cholera in this country. It is a very serious problem, as the gentleman quite well understands.

Mr. MOORE of Pennsylvania. I know it is.

Mr. LEVER. And it is going to be very hard, indeed, to control, if we ever control it.

Mr. MOORE of Pennsylvania. Is there a necessity, in the opinion of the committee, for maintaining the large establishment that we now have to maintain for this purpose?

Mr. LEVER. The committee emphatically think that a disease which is costing the people of this country, farmer and consumer, \$60,000,000 a year is a problem big enough for serious consideration.

Mr. MOORE of Pennsylvania. I am not objecting to the item. I am asking for information.

Mr. LEVER. I assume that the gentleman is not objecting to it.

Mr. MOORE of Pennsylvania. But I suggest to the House, as something to be remembered when other bills come up, that Members are inclined to be reasonable about all these agricultural bills, and that there is a great deal of criticism against certain other appropriation bills.

Mr. SLOAN. Will the gentleman yield, so that I may ask him a question?

Mr. LEVER. Yes.

Mr. SLOAN. Is it not a fact that there has been a very large reduction in the amount of hog cholera in this country, running to about 30 per cent, and has not the largest decrease in hog cholera been in and about the centers of Government activity in the campaign against hog cholera?

Mr. LEVER. That is my information; and in this connection I want to pay my tribute to the industry of the gentleman from Nebraska [Mr. SLOAN] in helping to initiate this legislation.

Mr. GOOD. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. GOOD. To what extent are the several States contributing to the eradication of these diseases?

Mr. LEVER. Several States are contributing an equal amount of money.

Mr. GOOD. Where the Government spends \$1,000 in a State to eradicate one of these diseases the State contributes another \$1,000?

Mr. LEVER. Not necessarily. Perhaps I misled the gentleman when I said. Under the agricultural extension act a number of counties have what is known as a county agent.

Under that act the State is required to put up part of the salaries and the Government the other half, the States in many instances paying much more than the Government. In hog-cholera work the hog-cholera eradicator is paid by the department and he works in close cooperation with the county agent, so that the States indirectly are contributing something to this work.

[The time of Mr. LEVER having expired he was by unanimous consent given two minutes more.]

Mr. GOOD. In many cases the Government pays out considerable sums of money for the eradication of, say, hog cholera?

Mr. LEVER. Yes.

Mr. GOOD. Is there any cooperation so far as the State is concerned where the State contributes any large sum?

Mr. LEVER. I am not sure whether they make any direct contribution or not. I may have that information, but I can not put my hand on it. I was in Kansas last fall and happened to come in contact with one of these hog-cholera eradicators who had been in a county two years, and he showed me a map of the county when he was first called with dots here and there where they had the hog-cholera infection. It was literally black with spots. Then he showed it to me as it was about 18 months afterwards, and I think there were only two infections in that great county. I was very much encouraged with the progress of that work as I saw it in Kansas in the field.

Mr. GOOD. Was the gentleman in Kansas at the request of the department?

Mr. LEVER. No; I was there in the interest of the people of the United States; I was there to convert a lot of Republicans. [Laughter.]

The Clerk read as follows:

For all necessary expenses for the investigation, treatment, and eradication of dourine, \$99,000, of which amount \$50,000 shall be immediately available.

Mr. FOSTER and Mr. STAFFORD reserved points of order.

Mr. STAFFORD. Mr. Chairman, I would like to ask the gentleman from South Carolina what is the necessity of making \$50,000 immediately available?

Mr. LEVER. The reason for making \$50,000 immediately available was because of the urgent request of the gentlemen who are in charge of the eradication of dourine. They desire this money when the spring round-up begins, when the horses from the round-up begin to scatter throughout the country. They find after some years of study that if they have the money in the springtime, they can use it to much better advantage and they urge that this amount be immediately available because they find that it can be more efficiently spent at this time.

Mr. STAFFORD. Under the present appropriation act there is \$75,000 available for the prosecution of this work. An additional \$50,000 would make it \$125,000. Deducting that from the \$99,000 it would only leave \$49,000 for the next fiscal year. So you will appropriate \$125,000 for the present fiscal year and only \$49,000 for the ensuing fiscal year.

Mr. LEVER. The gentleman is correct about that, but the committee acted upon the request of the department and gives an appropriation of \$99,000, making \$50,000 immediately available upon the theory that they could do a larger amount of work than if they used the whole \$99,000 the next fiscal year.

Mr. STAFFORD. Is it the expectation that the experts will be able to stamp out the disease so that they will only need \$49,000 for the ensuing year?

Mr. LEVER. The statement as to the ultimate eradication of the disease is not entirely encouraging to me. The disease has spread into half a dozen Western States. The gentleman can recognize the tremendous difficulty in stamping out a disease of that kind in range horses. They make the statement in the hearings that with such appropriation as they request from time to time in line of this appropriation that they can probably stamp it out in the course of two years.

Mr. STAFFORD. Does not the gentleman think that \$25,000 would be sufficient to be made available for the present fiscal year?

Mr. LEVER. I am frank to say to the gentleman that in a matter of this kind, where the disease is so highly infectious and where the losses can be so tremendously great, that I would not want to put my lay judgment against the judgment of the experts.

Mr. STAFFORD. The gentleman can appreciate that with \$50,000 available immediately there will not be ample funds for the next fiscal year.

Mr. LEVER. We think the \$50,000 can be better used now than in the next fiscal year.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of a point of order.

Mr. FOSTER. I withdraw the reservation of the point of order.

The Clerk read as follows:

For the investigation of diseases of cotton, potatoes, truck crops, forage crops, drug and related plants, \$82,800, of which sum \$5,000 shall be immediately available.

Mr. McLAUGHLIN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 19, line 19, strike out \$82,800 and insert \$87,800.

Mr. McLAUGHLIN. Mr. Chairman, this amendment calls for an increase of \$5,000 in the appropriation, to be used by the Bureau of Plant Industry for studying diseases of beans and finding and applying a remedy. The bean diseases have increased in number as the ravages have increased rapidly in this country, the department making the startling statement that the losses run from 10 to 20 per cent of the crop. That statement appears in the Book of Estimates and was made by one of the officials who appeared before the committee. He now makes the startling statement, as the result of later investigation, that in many cases the loss runs as high as 50 per cent of the entire crop.

I learned, by talking with an official of the department, that it is the intention to employ one man to conduct investigations in the States of New York and Michigan, where a large part of the beans of the country are produced; that is, one man to do or try to do the work necessary in both of those States. That is, all the money that is now provided, which will be carried by the appropriation as it appears in the bill, will permit the employment of only one man to cover both States. I asked this official what would be done if this appropriation were increased \$5,000, and he said it would permit the employment of this man to oversee the work in two States and would permit the employment of two more men, one in each of these States, and I submit that it must seem clear to this committee that the employment of

one man in each State will not be an extravagant use of money. The amendment which I request ought to be made so as to provide for that employment.

Mr. MANN. Mr. Chairman, will the gentleman yield for a question?

Mr. McLAUGHLIN. Certainly.

Mr. MANN. Does this relate especially to the culture, and so forth, of what they call the navy bean?

Mr. McLAUGHLIN. To the different kinds of beans, the navy bean and the Lima bean and other varieties. They are all subject to one or another of the several diseases. There are more than one, and they have been very bad during recent years, and it is some time since the department has made any considerable investigation. As appears by the statement made by the Bureau of Plant Industry, when the estimates were submitted, it was stated that the losses have been running from 10 to 20 per cent of the entire production, whereas later investigation, as appear by the letter dated January 2 received by me from the department, indicates that the losses this year in some cases reach as high as 50 per cent of the crop.

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. Yes.

Mr. LEVER. Does the department, in the letter to which the gentleman has just referred, recommend this \$5,000 additional?

Mr. McLAUGHLIN. It makes no recommendation, but it clearly indicates the need of the increased money. As I say, the chief told me that the amount in the bill will allow for only one man to be employed for the two States, New York and Michigan.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McLAUGHLIN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McLAUGHLIN. And the chief of the bureau says it would be desirable to employ a man in each of the States, and to have the one man he proposes to employ oversee the entire work. The additional \$5,000 I ask will provide for the employment of additional men, one in each State, one in Michigan and one in New York.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. Yes.

Mr. TILSON. Has there not already been a considerable increase in the appropriation over what has been heretofore carried? As I have it, there has been an increase of some \$23,000 in this particular appropriation.

Mr. McLAUGHLIN. Yes; there is a total increase in this item of \$24,000, and the estimates indicate how that increase is to be used. Only \$5,000 is to be expended in this bean-disease matter, and that \$5,000 will employ only one man for the two States, not a large enough increase.

Figures gathered by the Department of Agriculture are interesting and instructive in this connection. In 1915 the acreage of beans in this country was 928,000, the total production was 10,321,000 bushels, an average of 11.1 bushels per acre. In 1916 the acreage was larger, 945,000, but the yield, 8,846,000, was smaller than in 1915, the average yield in 1916 being only 9.4 bushels per acre. The total value of 1916 crop was \$44,763,000, while in 1915 the total value was only \$26,771,000, the reason for the greater value in 1916 being that the average price per bushel in that year was \$5.06, while in 1915 it was only \$2.59. In 1916 the acreage was 17,000 larger than in 1915, but owing to the increase of bean diseases in 1916 the production was 1,475,000 less than in 1915, and the average per acre was 1.7 bushels less in 1916 than in 1915.

It is clearly shown that bean diseases are increasing and spreading. The department has given little attention to them. It is incumbent upon the Congress to direct that the work of investigating and finding remedies for the trouble be begun without further delay and carried on vigorously. The additional money to be provided by my amendment will be needed for the work. I trust that the amendment will be adopted.

Mr. LEVER. Mr. Chairman, I dislike very much to oppose an amendment offered by a member of the committee, but I would call the attention of the committee to the fact that we have increased the appropriation in this item \$25,000, with a view that \$5,000 of that sum is to be used in investigating the various bean diseases and to promote the propagation and distribution of disease-free seed. Last year we appropriated \$5,000 for this work, and now we are appropriating in this bill \$5,000 additional. The gentleman's amendment proposes to increase it further by \$5,000, and as I get his explanation, it is with a view of providing one man to supervise the investiga-

tional work of some two or three other men. My own view of such situations is that he can very well afford not to make large increases in the investigational work of the department, giving them increases, however, when we think they need to have additional men, but the investigational work of the department is always slow and must take time. If this were a case of going out and demonstrating something that had been found to be a remedy, I would make no objection to it at all.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Certainly.

Mr. MANN. Considering the very great importance of the bean industry in reference to the cost of living, considering the fact that we of the North are very fond of beans to eat, and that we have increased the appropriation for the citrus canker, which just precedes this, by several hundred thousand dollars, does not the gentleman think that we can well afford to take care of the beans to the extent of \$5,000 additional?

Mr. LEVER. Mr. Chairman, the gentleman understands that we have already in this item given the department's estimates on the proposition of beans, and the gentleman knows, of course, that as chairman of the committee I am compelled to find a line of consistency somewhere.

Mr. MANN. Oh, that is true; yes. The State of Michigan, I believe, though I am not sure, is the principal producer of beans. They grow well in the sandy soil of that State. There is nothing more important than to have a large supply of beans when it comes to keeping down the high cost of living. The diseases have struck those beans over there, and the whole business is in a precarious situation, according to my information. People will not raise beans in competition with other things unless they are sure of a reasonable profit.

Mr. LEVER. Mr. Chairman, I recognize the seriousness of the situation, and I therefore was willing to give the increase estimated for by the department. I do not care to discuss the matter at length. I am willing to leave it to the House to do as it pleases with the matter. I do not believe if it increases it that I shall shed any tears, and I do not believe the gentleman from Michigan will shed any tears if the House does not agree to his amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For investigating the physiology of crop plants and for testing and breeding varieties thereof, \$49,060.

Mr. CANDLER of Mississippi. Mr. Chairman, I move to strike out the last word for the purpose of calling attention to some facts in reference to cotton which I desire to have printed in the RECORD.

These "Facts about cotton" were prepared by 100 of the leading cotton factors, banks, merchants, and business men of the South and published in the Commercial Appeal in Memphis, Tenn., on January 2, 1917. The figures upon which these facts are based were those obtainable up to December 15, 1916. The publisher of the Commercial Appeal states in an editorial note that he guarantees that the parties who prepared and published "Facts about cotton" are legitimate, high-grade business concerns and that he personally investigated before allowing the publication to appear in that paper. These facts, as stated in the article, I ask to have printed as a part of my remarks.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. CANDLER of Mississippi. Following is the article referred to:

FACTS ABOUT COTTON.

The last three weeks has seen a serious decline in the price of cotton and the consequent loss of millions of dollars to the South. As there is considerable misunderstanding and as the situation is apt to be still confusing, the following facts are placed before you for careful consideration:

CROP SHORTAGE.

It is generally admitted that the crop this year (1916) is very short. The Government estimate on December 8 was 11,511,000 bales. The last two years, considering acreage, have practically been crop failures. It does not seem that next season can show much relief, as fertilizer is still inferior in quality and high in price and the boll weevil will probably operate more extensively than ever.

In the past six years we have produced two 14,000,000-bale crops, one 15,000,000-bale crop, and one in excess of 16,000,000 bales. But to-day we have not enough cotton in sight to supply the present indicated demand. The season started with an American visible supply of 2,235,000 bales. The indicated crop, linters included, is 12,500,000, a total of 14,735,000 bales. Last year's consumption was 14,800,000, and as it is, of course, impossible to reduce the actual cotton not used up to less than a million bales or even a million and a half bales, a vast shortage is apparent.

The average consumption of the past six years has been 14,042,000. The American mills are running ahead of last year. More spindles are in operation to-day and exports are in excess of last season by 729,713 bales (up to Dec. 15).

CONSUMPTION.

In 1914 and 1915 the world consumed 24,581,000 bales of cotton, of which the United States produced 16,071,000 bales. The consumption in 1915 and 1916 was 21,011,000 bales. The consumption this year will, of course, be problematical, but on the whole the United States can add to the supply only to the extent of its probable current yield of 12,500,000 bales (which includes linters).

Cotton in quantity is produced in British India, Egypt, Russia, Turkey, Persia, colonial Africa, and Mexico, all of which countries are now at war.

Collectively the above countries produced in 1914 and 1915, 7,000,000 bales of cotton, and because of conditions no such like yield can be expected to-day. It has been said that the consumption of cotton generally will fall off because we can not ship to the central powers. This is true, and yet there is another important fact to be considered—the markets supplied by the central powers must be supplied from somewhere else. South America, colonial Africa, and other countries buying formerly from the central powers must now buy from England, America, and Japan, and trade reports of to-day show that they are doing this. There is a large firm of Japanese buyers in Austin, Tex., and not long since they stated that fully a million bales would be shipped to Japan this year (1916). There has been an increase of 500,000 spindles in Japan since last year—total there now of 3,500,000 spindles.

Again, the net consumption of the central powers admits of easy exaggeration, as they possess only one-tenth of the world's spindles, and their elimination has simply transferred the burden of manufacture of the finished product to our country in the main, and to others, as Japan, in a lesser degree. It is further estimated that 1,000,000 bales will be used for war purposes, such as the manufacture of munitions and high explosives. This would offset in a large way the forced stoppage of demand from the central powers.

EARLY MOVEMENT OF 1916 CROP.

The movement of the 1916 crop has been rapid. More than 95 per cent of it has been ginned; 8,100,772 bales up to December 15 has been brought into sight, an increase over the same period of last year of 1,415,609 bales. The exports to the same date were 2,795,026 bales, an increase of 729,091 bales. The takings by northern spinners were 1,407,261 bales, an increase of 150,442 bales; by southern spinners 2,008,295 bales, an increase of 421,486 bales. Over one-half the 1916 crop (on Government estimate) has reached its ultimate destination.

UNUSUAL DEMAND.

This fall and winter has been one of extraordinary prosperity for the United States and its 100,000,000 people. Never before has the country been so prosperous. It has been a remarkably fine trading season. Few dry-goods stores have large stocks after the great business they have done in the last few weeks. They will soon have to replenish. When prices are high merchants do not overload; they couldn't overload for the chief reason that deliveries could not be made by oversold jobbers and mills. Dry-goods stores have been buying from hand to mouth, either because deliveries could not be made or hoping that goods would be cheaper, but such has not been the case, and the demand for cotton goods next spring is bound to be enormous.

CONTRIBUTING REASONS.

One reason why cotton has been high, of course, has been natural increase of values of all commodities. It is not necessary to go into the causes of this increase, such as a surplus gold supply, huge paper war credits, etc. The fast shrinking purchasing power of the dollar is due to some extent to these causes, consequently all things are high. Some commodities have risen 300 per cent in value, but on a long list of commodities an appreciation of about 50 per cent above normal exists. Now the price for the past six years has averaged over 12 cents per pound, so that this average increase alone as applied to cotton would seem to warrant at this time not less than 18 cents per pound, basis middling.

FUTURE.

The world is at present consuming more than the world at present is able to produce. There is more demand for iron and steel than all the iron and steel plants in existence can turn out. There is more demand for foodstuffs than the farmers of this and other countries are able at present to supply. There is more demand for cotton than the South this year grew. Between 30,000,000 and 40,000,000 men in Europe have been taken away from production and made consumers of foodstuffs and clothing. Conditions under which they live and waste connected with feeding and clothing an army probably doubles the ordinary peace requirements for the same men. It might be said that there has been a sudden added demand for food and clothing for 30,000,000 to 40,000,000 people. This means that aside from the cheapness of the dollar and the shortness of certain grain crops and the scarcity of other materials foodstuffs and clothing materials generally would be higher in price. Should peace come, other commodities might fall in price. But it would seem that cotton is not so apt to, for the reason that should peace be declared all the spindles of the world would become active, of which there are 148,500,000. The markets would be freer and even with a bumper crop cotton would still be in great demand. With the declaration of peace it is estimated that Germany and Austria alone would require 3,000,000 bales of cotton. This being so, cotton should sell at much higher prices.

YOU CAN BORROW MONEY ON YOUR COTTON.

It is easy for you to arrange to hold your cotton if you do not wish to sell at present prices. Your local bank will loan up to 90 per cent of the market value. There should be no difficulty about this, for money is easy, and it is an easy matter for the local bank to get the notes rediscounted by the Federal reserve bank. All those who want to hold their cotton should have no difficulty in arranging to do so.

Mr. FESS. Mr. Chairman, I move to strike out the last word, to get some information from the chairman of the committee. I notice in the citrus canker paragraph that there is co-operation by the States to a very large amount, and I rose to ask how general that plan of investigation is, where the General Government should be met by the cooperation of the State in the same line of investigation?

Mr. LEVER. I will say to the gentleman from Ohio that since the passage of the agricultural extension bill some three years ago, at least with the Department of Agriculture, there is an increasing desire to have State cooperation on these other propositions, especially these propositions which require the employment of a large field force—the character of work that might be described as demonstration, as contradistinguished from investigation—and the Committee on Agriculture is in line with the thought of the Agricultural Department in requiring some degree of cooperation on the part of the States in lines of work of that character.

Mr. FESS. May I ask whether there are many lines in addition to the citrus-canker feature?

Mr. LEVER. Well, the foot-and-mouth disease is based on the same line of thought. The demonstration work in the North and in the South requires the same cooperative work. The gentleman will recall that the Federal road act is predicated upon the same idea.

Mr. FESS. Hog cholera?

Mr. LEVER. Hog cholera to a degree, and cattle tick to a degree. The States are providing more money for the eradication of cattle tick than the Federal Government itself.

Mr. FESS. The boll weevil?

Mr. LEVER. If the gentleman refers to the demonstration work done to meet the ravages of the boll weevil, yes. The States affected actually contribute more money to the work than is appropriated by the Federal Government.

Mr. FESS. I understand that the committee favors that sort of work—the cooperative method?

Mr. LEVER. I think I can speak for the entire committee on that. I am certain the chairman of the committee does favor doing it as far as possible. Of course, each line of work must necessarily depend upon itself as to whether or not it may be carried on best by cooperative arrangement.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. LEVER. With pleasure.

Mr. MOORE of Pennsylvania. I ask the gentleman to look at line 18, page 19, for the investigation of diseases of cotton, potatoes, and so forth, for the purpose of ascertaining if he knows what progress is being made with respect to the wart or scab on the potato in Maine.

Mr. LEVER. We had no testimony before the committee this year on that proposition, but the testimony before the committee last year was that the scab difficulty in Maine had been cleaned up. The quarantine has been lifted.

Mr. MOORE of Pennsylvania. Is it true that the embargo against the Canadian potato has been lifted?

Mr. LEVER. I so understand.

Mr. MOORE of Pennsylvania. Will that mean that there will be a decrease in the appropriation for that purpose?

Mr. LEVER. Practically none of this money will be used for that. We carried that in a separate item.

Mr. MOORE of Pennsylvania. Several years ago?

Mr. LEVER. We carried a separate item two years ago of something like \$50,000, as I recollect it, for the scab work in Maine. Last year we dropped that item because the work had been completed.

Mr. MOORE of Pennsylvania. Is the department satisfied, so far as the gentleman knows, that the danger of invasion from the Canadian scab is removed?

Mr. LEVER. I would judge so from the fact that they have raised the quarantine.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For soil-bacteriology and plant-nutrition investigations, including the testing of samples, procured in the open market, of cultures for inoculating legumes, and if any such samples are found to be impure, non-viable, or misbranded, the results of the tests may be published, together with the names of the manufacturers and of the persons by whom the cultures were offered for sale, \$39,300.

Mr. REAVIS. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. As to the samples of culture with which they inoculate the legumes, have they become a successful commercial product?

Mr. LEVER. Oh, yes; so far as I have information. I know there are a number of large firms engaged in the manufacturing of cultures for the leguminous plants.

Mr. REAVIS. That is largely for alfalfa, is it?

Mr. LEVER. It is for alfalfa, beans, peas, clover, and other leguminous plants.

Mr. REAVIS. I was asking whether or not bacteria had to be furnished for clover?

Mr. LEVER. If it is not already in the soil.

Mr. REAVIS. I knew it did for alfalfa, but I presumed if the soil was not acid clover would grow on any soil.

Mr. LEVER. You take the soil in my own State, for instance, and if you sow clover on that soil it will come up, a beautiful stand, and apparently grow up very nicely, but in the course of a few weeks it will die down as if a fire had gone over it if you do not inoculate the soil with this bacteria.

Mr. REAVIS. Well, I had always understood that the destruction of the clover plant, after securing a stand of that kind, was chargeable largely to the lack of limestone in the soil, or the lack of some other mineral element that destroyed the acidity of the soil.

Mr. LEVER. Well, any farmer sowing clover would always sprinkle his land strongly with lime, but that will not give you these little bugs that are necessary for the growth of the clover.

Mr. CANDLER of Mississippi. Clover will not grow successfully in my section of the country without the bacteria, and hence they are furnished in small quantities to the people in order that they may secure the benefits of their use.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For the investigation and improvement of methods of crop production under subhumid, semiarid, or dry-land conditions, \$160,000: *Provided*, That the limitation in this act as to the cost of farm buildings shall not apply to this paragraph: *Provided further*, That no part of this appropriation shall be used in the free distribution, or propagation for free distribution, of cuttings, seedlings, or trees of willow, box elder, ash, caragana, or other common varieties of fruit, ornamental, or shelter-belt trees in the northern Great Plains area, except for experimental or demonstration purposes in the States of North and South Dakota west of the one-hundredth meridian, and in Montana and Wyoming east of the 5,000-foot contour line.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. This item appropriates \$160,000 for the investigation and improvement of methods of crop production under semihumid, semiarid, and dry-land conditions. I would like to ask the chairman of the committee in what particular States those conditions prevail?

Mr. LEVER. They prevail in all States which have the conditions described in the language of this item.

Mr. MOORE of Pennsylvania. No part of this appropriation would be expended in the State of Delaware, for instance?

Mr. LEVER. No; because that State could not be described either as semihumid, semiarid, or a dry-land State.

Mr. MOORE of Pennsylvania. Do the States that would benefit from this appropriation participate at all in the expense of this improvement or reclamation work? I assume that some of this money would be expended in the State of Arizona or the State of Nevada?

Mr. LEVER. Yes.

Mr. MOORE of Pennsylvania. Do either of those States contribute to this sort of reclamation work?

Mr. LEVER. I can not tell the gentleman offhand whether they do through a direct appropriation or not, but I am inclined to think they do not. But I can say this to the gentleman: That the experiment stations and the agricultural colleges of these various States do take a very lively cooperative interest in this line of work.

Mr. MOORE of Pennsylvania. They do, with the Government money?

Mr. LEVER. Yes. There is the closest cooperation.

Mr. MOORE of Pennsylvania. I call the attention of the committee to the fact that the chairman of the Committee on Public Lands the other day—the gentleman from Oklahoma [Mr. FERRIS]—said that he would not support any proposition for the intercoastal canals, and his statement resulted in some comment by the gentleman from Pennsylvania on that subject. I observe that gentlemen, like the chairman of the Committee on Public Lands, do not fail to be provided for in some way or other for their particular State projects in some bill, though they strenuously avoid the river and harbor bill. They are able to get in somewhere and to obtain some help from the Government if it does not appear to be what some of the great editors now regard as "pork."

I wish the chairman of the Committee on Public Buildings and Grounds were here for a minute or two—he was here earlier in the morning—in order that he might comment upon appropriations of this kind, because in a little while the bill that he will bring in, providing an appropriation of \$5,000, more or less, for the erection of a post office somewhere, will be severely criticized. Views of some of the great editors of

the country, whose individual opinions have the weight of gospel, will be echoed and reechoed upon this floor doubtless by some of our great national economists. The expenditures contemplated will be denounced as "pork," whatever that is. Now, I sound this note in advance because we passed a little "pork" item of over \$400,000 a short while ago about which little or nothing was said. The chairman of the committee assured us that it was intended to guarantee "pure pork."

Mr. LEVER. I did not guarantee pure pork; but I said the item was intended to promote the purity of pork. That was in another item.

Mr. MOORE of Pennsylvania. The gentleman did seem to think it was the wrong kind of pork, because it was tacked onto an agricultural appropriation bill. According to public opinion, criticism of such items applies only to river and harbor bills or to items in a public-building bill.

Now, the gentleman from Oklahoma [Mr. FERRIS] is an eloquent Member of the House and has very strong opinions on the question of arid lands and the giving away of vast acreages to the people of the West. He said, however, that he would not vote for an appropriation to construct a canal that tended to improve communication, bring the States together, develop industry, and promote trade; but he is not here objecting to the appropriation of \$160,000 that people may go out and look over a lot of semihumid, semiarid, and dry land. Oh, yes; I see the gentleman is here. I beg his pardon. He is here and listening to what I say. [Laughter.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. The pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

For investigations in connection with western irrigation agriculture, the utilization of lands reclaimed under the reclamation act, and other areas in the arid and semiarid regions, \$75,380.

Mr. FERRIS. Mr. Chairman, I move to strike out the last word. I wish to occupy just two minutes. Is the gentleman from Pennsylvania through?

Mr. MOORE of Pennsylvania. I was through; but now I may not be. [Laughter.] I may want a minute in reply.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate on this paragraph be concluded in three minutes.

Mr. ANDERSON. Oh, Mr. Chairman, we have been making agreements like that all the morning, and gentlemen have repeatedly asked to have the time extended. I shall have to object.

Mr. LEVER. Then I withdraw my request, Mr. Chairman.

Mr. FERRIS. I will not take advantage of the opportunity to speak.

Mr. MOORE of Pennsylvania. Then I withdraw my request also.

The CHAIRMAN. The request of the gentleman from South Carolina is withdrawn.

Mr. FESS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Ohio moves to strike out the last word.

Mr. FESS. Mr. Chairman, I want to ask a question relative to the beet-seed item that we have just passed over. I want some information. Does the gentleman in charge of the bill think we shall ever be able to produce in this country the beet seed necessary to plant the American crop?

Mr. LEVER. The statements made this year or last year before the committee—I am not sure which—led the committee to think and believe that there was no reason why we should not be able to produce an ample supply of beet seed in this country.

Mr. FESS. About what proportion do we now produce?

Mr. LEVER. A very small proportion. We have suffered a great deal recently because of that fact.

Mr. FESS. But the opinion of the chairman is that we will eventually reach the stage where we will produce the seed we need?

Mr. LEVER. I see no reason why, with proper encouragement, we shall not produce all the seed we need.

Mr. FESS. I recall the statement of a former Secretary of Agriculture to the effect that there were about 278,000,000 acres of ground adapted to growing beets in this country, and naturally the beet-seed item would be an important one if such a supply could be secured.

Mr. LEVER. We provided an appropriation in the bill last year for that. It is in the current law.

Mr. MURRAY. I want to suggest that the chairman of the committee was not quite certain about the number of seeds, but that the gentleman from Mississippi [Mr. CANDLER] is an authority on free seeds. [Laughter.]

Mr. LEVER. I will say further to the gentleman from Ohio that Dr. Taylor in his statement before the committee said:

Anticipating somewhat the availability of that, we diverted those of our men who were in a position to be helpful to the commercial growers, so that the commercial growers of sugar-beet seed have been assisted in selecting and siloing the sugar-beet root and in harvesting the seed, with the result that the largest crop of sugar-beet seed ever produced in the United States, about 4,000 acres, has been grown this year.

So I think it is rather an encouraging report.

The CHAIRMAN. The pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For investigations in foreign seed and plant introduction, including the study, collection, purchase, testing, propagation, and distribution of rare and valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries and from our possessions, and for experiments with reference to their introduction and cultivation in this country, \$93,040.

Mr. ANDERSON. Mr. Chairman, I reserve a point of order on the paragraph, and I do it in order to get a proposition before the committee which I think ought to be brought to its attention.

The testimony before the committee, and the notes submitted with the estimates, indicate that \$12,500 of this sum is to be spent in the construction of buildings and the improvement of land which has recently been donated to the Government. I have always understood that before any department of the Government could accept a donation of land it must have legislative authority from Congress. I do not know of any legislative authority authorizing the acceptance of these two grants, one of them at Miami, Fla., and the other one at Bellingham, Wash. Especially in view of the fact that the testimony shows that these two donations are made upon condition that the Government will continue to use them, and that the land will revert back unless used as prescribed in the deeds, I do not think it good public policy to spend money in the erection of buildings upon the land or its improvement. I do not think there is anything which authorizes the appropriation, and unless something can be shown I shall make the point of order.

Mr. LEVER. I do not concede the point of order, Mr. Chairman. I should like to know what the gentleman's point is.

Mr. ANDERSON. I am not sure that I can get at the proposition with a point of order.

Mr. LEVER. If the gentleman wishes, he may offer an amendment cutting out the \$12,000.

Mr. ANDERSON. I shall do that, unless it can go out on a point of order.

Mr. LEVER. I am satisfied it is not subject to a point of order. The gentleman had better make it the other way, to save time.

Mr. ANDERSON. Then I move to amend by striking out "\$93,040" and inserting "\$80,540."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

Mr. LEVER. Mr. Chairman, there is an increase in this item of \$10,000 for the establishment of a plant-introduction field station at Bellingham, Wash. It seems that the department has a field station at Bellingham, Wash., and there is proposed to be donated to the Government a 60-acre tract of land adjacent to the present propagating garden. This 60-acre tract of land, according to the testimony before the committee, is valued at \$25,000 or \$30,000. Private parties have offered to deed that property to the Government and it is estimated that \$10,000 will be necessary to cover the equipment and extension of the field work at that station over these 60 acres of land that are ready to be given to the Government for these purposes.

The bulb industry of this country is a much larger proposition than most of us would suspect. If my recollection is correct, I think the importation of bulbs to this country amounted at one time to something like \$1,000,000 per year, and the committee felt that, having the offer of property worth \$60,000 to be used in the propagation of bulbs it could very well afford to expend \$10,000 to avail itself of that offer, which would put us in a position to do very valuable work. It is true that it will not add to the meat supply of the country, or the wheat supply, or other food supply, but it will add to the joy of those who love the beautiful in nature.

Mr. SLOAN. What, if any, conditions are submitted with the proposition to convey?

Mr. LEVER. No conditions whatever, except, as I recall it, that the land shall be used for the purposes set forth in the deed.

Mr. SLOAN. If not used for that purpose will the land revert to the donors?

Mr. LEVER. Oh, I understand so. The committee felt that this was a good undertaking. I will say further that the department recommended, a little further on, an appropriation of \$35,000 for the purchase of not to exceed 150 acres of land at Chico, Cal. The committee disallowed that proposition, because we did not feel that we ought to go into it at this time; but where we had a station already established and could get \$60,000 worth of property at an expenditure of \$10,000 for maintenance, we thought it was a fairly good business proposition.

Mr. HADLEY. Mr. Chairman, supplementing the statement of the chairman of the committee, I would like to make this further observation in connection with the statement which the chairman made with reference to the existing bulb farm or garden at Bellingham, Wash.: The fact is that that garden has been maintained on a tract of 10 acres of leased ground for a number of years, I think eight or nine years, and the lease expires, as I understand it, some time in the current year and can not be renewed. There is a current appropriation from year to year, I think, of \$7,500 for the propagation of bulbs on that tract. With the expiration of the pending lease it becomes necessary for the Government to make further arrangements for the maintenance of that industry, for the propagation of bulbs in that locality. The site tendered by private parties is stated to be worth some \$25,000 or \$30,000, I believe, and is a few miles away from the present garden. It is proposed to transfer the work to this new station and to expend the money upon a 60-acre tract instead of a 10-acre tract, to maintain the present bulb-culture work, and also to extend the station to meet the demands of the department in the propagation of, or experimentation with, other foreign plants. According to the statement made, they feel that a wider range of experimentation, with diversified plants from the Orient and elsewhere, is necessary, and that this locality has been demonstrated to be exceptionally fitted for that purpose. Therefore, with the tender of 60 acres to the Government and with the pending failure of the leasehold interest of the Government some time during the current year, it becomes a matter of practical moment to the Government itself to accept the tender of the deed and to have the appropriation made as proposed.

I wanted to make this additional statement in connection with the statement of the chairman.

Mr. HAUGEN. Has the gentleman any estimates of the value of this land?

Mr. HADLEY. The testimony before the committee was that it was worth from \$25,000 to \$30,000.

Mr. HAUGEN. Has the gentleman any personal knowledge of its value?

Mr. HADLEY. I would not undertake to testify to the actual value without a personal examination of the land. I know of it in a general way. It is within a mile or two of the limits of a city with 30,000 population or more, and is adjoining improved highways on either side. It is a tract of very valuable land. It is worth several hundred dollars an acre without question.

Mr. MOORE of Pennsylvania. Mr. Chairman, this is a peculiar situation and illustrates the wisdom of a careful reading of bills. Here is a proposition to cover up the purchase of land by the department—

Mr. MANN. Oh, not at all.

Mr. MOORE of Pennsylvania. I hear the gentleman from Illinois say "not at all," but I challenge the gentleman or the chairman of the committee to show wherein from line 5 to line 18, page 24, providing an appropriation of \$93,000 there is any authorization whatever concerning any real estate in Bellingham, or any other place except in Arlington, Va. It is only another evidence of the wickedness of lump-sum appropriations to be used in the discretion of the department. Ninety-three thousand dollars for experiments with reference to the introduction and cultivation in this country of bulbs. Not a word about Bellingham, not a word about the purchase of real estate, not a suggestion in the item that real estate is to be used at all for the propagation for these plants and bulbs. The gentleman from Washington states that the idea is that we are to bring in the plants and bulbs from the Orient. I do not know whether the gentleman from Washington knows it, or whether the chairman of the committee knows it, but the State Department at the present time is powerless in regard to certain importations of bulbs and things of that kind from Europe. It may be that we are going to build up the oriental trade by permitting the Secretary of Agriculture to inject an item here providing in a lump-sum appropriation the right to acquire real estate with attendant expenses. It may be that the purpose to build up the trade on the west coast is commendable, but it is interesting to note that the trade from Europe is actually

held up because this Nation is powerless to obtain certain imports because of the domination of the high seas by one of the great powers of the world.

I am not going into that further than to say that men engaged in the bulb business along the Atlantic seaboard are anxious to obtain imports from foreign countries, but can not readily secure them. I am not raising that question now except to say that to our shame possibly, we are at least temporarily under the domination of a foreign power in this matter. It is a wicked provision that appropriates \$93,000 to investigate plants and the propagation of bulbs if it includes or covers the purchase of real estate.

Mr. SLOAN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. SLOAN. It would not be such a wicked proposition to bring the bulbs up through the intercoastal canal, would it?

Mr. MOORE of Pennsylvania. The gentleman's suggestion is about as wicked as this proposition.

Mr. MANN. Mr. Chairman, the gentleman from Pennsylvania [Mr. Moore] is always interesting and entertaining, but sometimes mistaken. This provision does not provide, authorize, or contemplate the purchase of real estate. The gentleman probably got his information incorrectly from some one without reading the item. It is not intended to purchase real estate. My friend from Pennsylvania says there is nothing in the item to indicate that real estate is to be used in any way.

Mr. MOORE of Pennsylvania. I said there was nothing about real estate in the item except at Arlington, Va.

Mr. MANN. The gentleman was raised on a farm, and yet does not know that when it comes to propagating bulbs it is necessary to use real estate. I suppose the gentleman from Pennsylvania thinks that they are propagated on a carpet. Somebody by me suggests that probably the gentleman thinks they are brought up on a bottle. [Laughter.]

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. MANN. Yes.

Mr. MOORE of Pennsylvania. In view of the gentleman's experience on his own farm, I assume he knows the carpet or milk-bottle price. [Laughter.]

Mr. MANN. I have raised bulbs on real estate, and have had no difficulty in buying imported bulbs this last fall, which the gentleman says can not be imported. There is no difficulty in getting these bulbs. The fact is that we import immense quantities of bulbs every year from Holland. Holland centuries ago developed the art of propagating tulip bulbs, and a great many other kinds of bulbs. We spend large sums of money every year, sending our money over to buy these bulbs which are propagated in other countries, particularly in Holland. The Department of Agriculture some time ago reasoned that they probably would be able to propagate these bulbs on the Pacific coast, figuring out the climate and the soil, and we have made the effort, and so far it has looked to be very successful. If the Department of Agriculture is permitted to continue this investigation, it is my own opinion that in a short time, instead of buying bulbs from Europe, we will be raising them on our own labor and our own capital on the Pacific coast. I do not know anything that would be better for the same amount of money expended than to demonstrate that this can be done. This is not exactly along the line of protection which the gentleman from Pennsylvania and I both favor, but somewhat along the line, because it proposes to use the money of the Government in showing the people of this country how they can do the things, how they can produce the things which we now buy abroad.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. Anderson].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For the purchase, propagation, testing, and distribution of new and rare seeds; for the investigation and improvement of grasses, alfalfa, clover, and other forage crops, including the investigation of the utilization of cacti and other dry-land plants; and to conduct investigations to determine the most effective methods of eradicating weeds, \$139,180: *Provided*, That of this amount not to exceed \$60,000 may be used for the purchase and distribution of such new and rare seeds.

Mr. LA FOLLETTE. Mr. Chairman, I move to strike out the last word for the purpose of getting some information. Why is it necessary to couple with an appropriation for the purchase, propagation, testing, and distribution of new and rare seeds one to conduct investigations to determine the most effective methods of eradicating weeds?

Mr. LEVER. Mr. Chairman, the language to which the gentleman refers was, I think, inserted in the bill on the floor of the House in the last session of Congress. The gentleman from North Dakota [Mr. Helgesen] has that information.

Mr. HELGESEN. Mr. Chairman, there was \$5,000 inserted by the House at the last session to investigate the best method

of eradicating weeds. That was misunderstood in the Senate, and went out of the bill. The department said that they considered it of enough importance so that they would undertake the work without additional appropriation, and they tried to take it out of this, and they conducted an investigation last year and they are going to continue it this year.

Mr. LA FOLLETTE. Mr. Chairman, I do not think that an item for the investigation of the best and most effective method of eradicating weeds should be coupled with an appropriation of this character and in an item of this kind. It does not look consistent. Here you have an appropriation of \$139,180, of which not more than \$60,000 may be used for the purchase and distribution of such new and rare seeds. We know nothing about how much of the remainder can be used for the investigation of and the eradication of weeds, or how much of it can be used for the investigation and improvement of grasses, and so forth.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. LA FOLLETTE. Yes.

Mr. MANN. My understanding that the eradication of weeds contemplated here was in connection with alfalfa and other forage crops?

Mr. HAUGEN. No.

Mr. MANN. I supposed it was. Everyone knows that weeds get into fields of alfalfa.

Mr. LA FOLLETTE. Weeds get into anything; but I do not see the consistency of coupling up such an item with an item for the purchase, propagation, and so forth, of new and rare seeds.

Mr. ANDERSON. This proposition, I think, had reference particularly to the eradication of the sow thistle.

Mr. MANN. It would not be profitable to plow up a field of alfalfa to get out a few weeds. Weeds in a field of perennials are very different from weeds in a field of annuals.

Mr. LA FOLLETTE. Mr. Chairman, I agree with the gentleman that it would not be altogether profitable to plow up a field of alfalfa to get out the weeds; but that does not make me see the propriety of putting an item of this character, without any limitation as to amount that can be expended for the purpose, in with an item for the purchase and propagation and distribution of rare plants, seeds, and so forth. I think it should be carried in some other item.

Mr. LEVER. Mr. Chairman, I do not think I disagree with anything that the gentleman has said. This item is at the wrong place in the bill; but it is here, and it got into the bill in the way suggested by the gentleman from North Dakota [Mr. Helgesen], and the committee in framing a bill to pass at the short session of Congress went upon the theory that the fewer changes made in the bill the easier the bill would go through the House, and therefore we have left it here. I think there is a great deal of force in the gentleman's suggestion.

Mr. LA FOLLETTE. I suggest that the best way to correct a thing of that kind is for the House to make the correction in the committee and put it in at a proper place. This does not show how much can be used for that purpose and how much can be used for the very different purpose.

Mr. LEVER. I can give the gentleman assurance that not over \$10,000 will be used for this purpose.

Mr. LA FOLLETTE. Of course, the item itself does not show.

Mr. LEVER. That is very true; but that is true of all of these lump-sum appropriations.

The Clerk read as follows:

Purchase and distribution of valuable seeds: For purchase, propagation, testing, and congressional distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, postal cards, gas, electric current, rent outside of the District of Columbia, official traveling expenses, and all necessary material and repairs for putting up and distributing the same; for repairs and the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere, \$243,720. And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as hereinafter stated, and such seeds so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States: *Provided*, That the Secretary of Agriculture, after due advertisement and on competitive bids, is authorized to award the contract for the supplying of printed packets and envelopes and the packing, assembling, and mailing of the seeds, bulbs, shrubs, vines, cuttings, and plants, or any part thereof, for a period of not more than five years nor less than one year, if by such action he can best protect the interests of the United States. An equal proportion of five-sixths of all seeds, bulbs, shrubs, vines, cuttings, and plants shall, upon their request, after due notification by the Secretary of Agriculture that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates in Congress for distribution among their constituents, or mailed by the department upon the receipt of their addressed

franks, in packages of such weight as the Secretary of Agriculture and the Postmaster General may jointly determine: *Provided, however*, That upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each Member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided, also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the 10th day of January: *Provided, also*, That any portion of the allotments to Senators, Representatives, and Delegates in Congress remaining uncalled for on the 1st day of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress and who have not before during the same season been supplied by the department: *And provided, also*, That the Secretary shall report, as provided in this act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, testing propagation, and distribution of valuable seeds, bulbs, mulberry and other rare and valuable trees, shrubs, vines, cuttings, and plants.

Mr. DOOLITTLE. Mr. Chairman, in order to test the sense of the committee, I move to strike out the paragraph. I want to call attention to the fact that this item carries \$243,720 for the purpose of purchasing and distributing radish and lettuce seeds and other garden seeds and some flower seeds and a few shrubs throughout the country, which are not desired by the people of the country, and, so far as I am concerned, they have become an embarrassing situation. Of course, I send them out because they are put to my credit at the Department of Agriculture, but I think there is no better place for us to start to retrench and save a little money than by cutting out this item of \$243,000.

Mr. MEEKER. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. Yes.

Mr. MEEKER. Has the gentleman some seeds that he does not need?

Mr. DOOLITTLE. No.

Mr. MEEKER. If he has, he might send them to me.

Mr. JAMES. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. Yes.

Mr. JAMES. The amount is really \$250,000, is it not, because on page 13 of the report it is stated that there is an apparent decrease in this item of \$8,000, whereas, as a matter of fact, there is no decrease because it is put on another item?

Mr. DOOLITTLE. It is the same.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. Yes.

Mr. BLACK. In certain portions of Texas the Department of Agriculture conducts experiment farms for the improvement of cotton seed, and at the end of the season they buy a certain number of these cotton seed and furnish them for free distribution through the South. Does this item cover seeds of that kind?

Mr. DOOLITTLE. No; this is another item and includes only garden seed and flower seed and some shrubs.

Mr. BLACK. I am not a member of the committee and was not sure whether the distribution of that kind was covered by this item or not.

Mr. PLATT. Is it not a fact that a number of farmers' organizations passed resolutions against this seed distribution, including the National Grange?

Mr. DOOLITTLE. They have.

The CHAIRMAN (Mr. PAGE of North Carolina). The question is on the motion of the gentleman from Kansas to strike out the paragraph.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. DOOLITTLE. Division, Mr. Chairman.

The committee divided; and there were—ayes 42, noes 44.

Mr. DOOLITTLE and Mr. RUBEY demanded tellers.

Tellers were ordered, and Mr. CANDLER of Mississippi and Mr. DOOLITTLE took their places as tellers.

The committee again divided; and the tellers reported—ayes 44, noes 73.

So the amendment was rejected.

The Clerk read as follows:

FOREST SERVICE.

Salaries, Forest Service: One Forester, who shall be chief of bureau, \$5,000; 1 chief of office of accounts and fiscal agent, \$2,620; 1 inspector of records, \$2,400; 7 district fiscal agents, at \$2,120 each; 1 forest supervisor, \$2,800; 1 forest supervisor, \$2,700; 8 forest supervisors, at \$2,400 each; 20 forest supervisors, at \$2,200 each; 48 forest supervisors, at \$2,000 each; 66 forest supervisors, at \$1,800 each; 5 forest supervisors, at \$1,600 each; 1 deputy forest supervisor, \$1,800; 4 deputy forest supervisors, at \$1,700 each; 28 deputy forest supervisors, at \$1,600 each; 81 deputy forest supervisors, at \$1,500 each; 18 deputy forest supervisors, at \$1,400 each; 10 forest rangers, at \$1,500 each;

22 forest rangers, at \$1,400 each; 78 forest rangers, at \$1,300 each; 287 forest rangers, at \$1,200 each; 650 forest rangers, at \$1,100 each; 80 forest guards, at \$1,100 each, for periods not exceeding six months in the aggregate; 1 clerk, \$2,100; 4 clerks, at \$2,000 each; 19 clerks, at \$1,800 each; 21 clerks, at \$1,600 each; 9 clerks, at \$1,500 each; 22 clerks, at \$1,400 each; 9 clerks, at \$1,300 each; 136 clerks, at \$1,200 each; 95 clerks, at \$1,100 each; 53 clerks, at \$1,020 each; 30 clerks, at \$960 each; 117 clerks, at \$900 each; 2 clerks, at \$840 each; 1 clerk or proof reader, \$1,400; 1 clerk or translator, \$1,400; 1 compiler, \$1,800; 1 draftsman, \$2,000; 1 draftsman or surveyor, \$1,800; 3 draftsmen, at \$1,600 each; 1 clerk or compositor, \$1,600; 2 draftsmen or surveyors, at \$1,600 each; 13 draftsmen or surveyors, at \$1,500 each; 2 draftsmen or surveyors, at \$1,400 each; 2 draftsmen, at \$1,300 each; 13 draftsmen, at \$1,200 each; 2 draftsmen, at \$1,100 each; 3 draftsmen, at \$1,020 each; 1 draftsman, \$1,000; 1 draftsman, \$960; 12 draftsmen or map colorists, at \$900 each; 1 draftsman or artist, \$1,200; 1 draftsman or negative cutter, \$1,200; 1 artist, \$1,600; 1 artist, \$1,000; 1 photographer, \$1,600; 1 photographer, \$1,400; 1 photographer, \$1,200; 1 photographer, \$1,100; 1 lithographer, \$1,200; 1 lithographer's helper, \$780; 1 blue-printer, \$720; 1 machinist, \$1,260; 2 carpenters, at \$1,200 each; 3 carpenters, at \$1,000 each; 1 carpenter, \$960; 1 electrician, \$1,020; 1 laboratory aid and engineer, \$1,000; 9 laboratory aids and engineers, at \$900 each; 2 laboratory aids and engineers, at \$800 each; 1 laboratory helper, \$720; 1 laboratory helper, \$600; 1 packer, \$1,000; 1 packer, \$780; 4 watchmen, at \$840 each; 1 messenger or laborer, \$960; 3 messengers or laborers, at \$900 each; 4 messengers or laborers, at \$840 each; 3 messengers or laborers, at \$780 each; 4 messengers or laborers, at \$720 each; 6 messengers or laborers, at \$660 each; 5 messengers, messenger boys, or laborers, at \$600 each; 2 messengers, messenger boys, or laborers, at \$540 each; 3 messengers or messenger boys, at \$480 each; 3 messengers or messenger boys, at \$420 each; 11 messengers or messenger boys, at \$360 each; 1 charwoman, \$540; 1 charwoman, \$480; 1 charwoman, \$300; 11 charwomen, at \$240 each; in all, \$2,447,920.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I assume that the duties of the chief of office of accounts and fiscal agent are virtually those of the chief clerk. I therefore make the point of order, Mr. Chairman, against the salary carried for that office in lines 3 and 4, page 28.

Mr. LEVER. I concede the point of order and offer the following amendment.

The CHAIRMAN. The gentleman from South Carolina [Mr. LEVER] offers an amendment, which the Clerk will report.

Mr. STAFFORD. Will the gentleman withhold that? Before withdrawing the reservation of the point of order I would like to inquire what is the need of increasing the salaries of these district fiscal agents?

Mr. LEVER. Mr. Chairman, the statement of the department as to that is that these agents are in charge of the disbursing and receiving of moneys and of accounting work in district headquarters and have large financial responsibility. The present salaries are below those paid by other departments for similar service. These men are under \$50,000 bonds and have large responsibilities, according to the statement of Mr. Graves, who has charge of this service.

Mr. STAFFORD. What salary was recommended by the head of the department?

Mr. LEVER. Two hundred and fifty dollars increase.

Mr. STAFFORD. Mr. Chairman, I only press the point of order as to the chief of office of accounts and fiscal agent, and I withdraw the reservation as to the last item.

The CHAIRMAN. The point of order is sustained.

Mr. LEVER. Mr. Chairman, I wish to offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend by inserting in lines 3 and 4 "one chief officer of accounts and fiscal agent, \$2,500."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Apache National Forest, Ariz., \$8,079.

Mr. HAYDEN. Mr. Chairman, I move to strike out the last word, in order to bring to the attention of the chairman of the Committee on Agriculture a serious protest which I have received from the stockmen in my State relative to the proposed increase in grazing fees on the national forests. As I understand the situation, the cost of administering the grazing on the national forests is now more than repaid by the grazing fees received, but it is proposed by the Secretary of Agriculture to increase the rates, in order to place the grazing within the national forests on a commercial basis. At the time the national forests were created it was never contemplated that the grazing fee should be based upon what the traffic would bear, and, as a matter of fact, if cattle and sheep were not grazed within the forests and the grass was allowed to grow, there would be greater injury to the timber by fire than exists. Therefore, the grazing of live stock tends to preserve the timber. But the Forest Service has of late changed its policy and now proposes to place the grazing on the national forests on a commercial basis; in other words, to get all out of it that it is possible to obtain. Now, when the live-stock interests in my country, on

the national forests of Arizona, are paying enough to cover the cost of administration and more, the stockmen feel that they should not be further taxed to make up a deficit that occurs elsewhere in the administration of the Forest Service. I would like to inquire of the chairman of the committee whether the Committee on Agriculture has recommended this increase or is in any way responsible for it?

Mr. LEVER. The Committee on Agriculture does not have power by straight legislation to regulate these fees. That power has been delegated to the Forest Service. It was brought to the attention of the committee by the gentleman in charge of the forest work in this country that it was contemplated in the future to raise the grazing fees in the Forest Service probably 100 per cent, covering a period of about three years. The impression made upon my mind by those gentlemen who presented the case for the department was that this proposed increase in the grazing fees upon the national forests was entirely satisfactory to the bulk of the cattle and sheep men of the West.

Mr. HAYDEN. I can state to the gentleman that such is not the case so far as the cattle growers and woolgrowers of Arizona are concerned.

Mr. LEVER. If the gentleman will permit. And I understood that they would be gratified, as a matter of fact, if the department adopted the policy of increasing more largely the grazing capacity on ranges by proper fencing and digging of water holes, and the like of that—matters that go in the cattle business. Now, the committee has acted upon that theory, and in another section of the bill has made provision for increasing the usefulness for grazing of the national forests by allowing an increase in that item of \$50,000. It was brought to the attention of the committee, as I said a moment ago, that the cattlemen and sheepmen, if those conditions were met, would be entirely satisfied with the raise proposed by the Department of Agriculture. The present grazing fees are almost nominal, as the gentleman quite well understands.

The present charge ranges from 48 cents to \$1 a year upon cattle, with a charge of 25 per cent of that rate for sheep, and more than that rate for horses. Now, to the minds of the committee those are quite reasonable fees. In fact, to the minds of the committee they are almost a nominal fee, and the committee, I think, feels that if a reasonable increase of the grazing fees can be had without any undue hardship upon anybody, at the same time carrying with it the idea of increasing the grazing capacity of the ranges, it would not be a bad thing to do.

Mr. HAYDEN. But what I wanted to ask—

Mr. LEVER. And if the gentleman will permit me further, we have testimony to the effect that the cattlemen and the sheepmen would agree to that proposition. Let me read a letter addressed to the Secretary of Agriculture recently. I read:

The honorable the SECRETARY OF AGRICULTURE,
Washington, D. C.:

The members of the Blue Mountain Cattle & Horse Raisers' Association, Umatilla County, Oreg., offer no objection to the proposed increase in grazing fees, provided, first, that after this proposed increase is made the stockmen be assured that no further increase will be made; and, second, that an adequate percentage of the increased fee be appropriated each year for range improvements, etc.

As I said at the beginning of my statement, the impression made by the officers of the Forest Service upon the committee was that if the department adopted the policy of improving the range conditions, the cattlemen and the sheepmen would have no particular objection to a reasonable increase in the grazing fee.

The CHAIRMAN (Mr. CONRY). The time of the gentleman from Arizona has expired.

Mr. HAYDEN. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. HAYDEN. What I wanted to ascertain was whether or not the Committee on Agriculture of the House and the members of the committee were responsible for this raise?

Mr. LEVER. Oh, no. The raise has not gone into effect as yet, as a matter of fact.

Mr. HAYDEN. In proposing such a raise in grazing fees?

Mr. LEVER. Oh, no.

Mr. HAYDEN. I ask that question because of the statement given out by the Forester that, stung by the criticisms in Congress to the effect that the Forest Service is not securing from the national forests all the revenue that should be produced, he has recommended this increase in the grazing rates.

Mr. LEVER. I want to be entirely fair with the Forest Service. There has been undoubtedly in the past very severe criticism of the Forest Service because the receipts from that service have not been greater. Individual Members of the House have come to me, even this morning, complaining that the forests ought to be self-sustaining, and that the fees and the rents and the like of that are too small. Members have complained to me as to these grazing fees—complained to me personally, and probably the statement of the Forest Service, as given to us by the gentleman from Arizona, is based upon the truth. I am satisfied that members of the committee, probably in the cross-examination of the witnesses before it, have indicated more or less they think these fees were too small. We have not suggested to them the raising of the fees outright at all, but—

Mr. HAYDEN. The objection made by the stock raisers in Arizona is that the fees now collected more than pay the cost of administering the grazing in the forests of my State, and by doubling that fee the Forest Service is going to collect much more money and make a great profit off the grazing in that State—money which will be used to cover up the deficit occasioned by the necessity of conserving timber or other resources in other States and in other places in which they have no interest.

Mr. LEVER. There may be something in the gentleman's complaint, and I am satisfied that the department would be willing to make allowance for things of that kind.

Mr. HAYDEN. I realize that this proposed increase in grazing fees is to be made by a regulation issued by the Secretary of Agriculture, and that it is not a matter contained in this bill. I also know that it would be both vain and useless for me to offer an amendment prohibiting the Secretary from making the proposed advance, because such an amendment would be subject to the point of order that it was an attempt to legislate on an appropriation bill, which is prohibited under the rules of the House.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield right there?

The CHAIRMAN. Does the gentleman from Arizona yield to the gentleman from Washington?

Mr. HAYDEN. With pleasure.

Mr. JOHNSON of Washington. Do I understand the gentleman to say that the fees for grazing have been raised?

Mr. HAYDEN. No; but it is proposed to raise them by increasing the rate in three annual increments, so that at the end of three years the rate will have been doubled.

Mr. JOHNSON of Washington. So far as the Forest Service being stung by the criticisms that have been made of its administration, is it not a fact that the Forest Service, in order to devote the money which Congress is appropriating for roads in the forests, in order to make a showing in behalf of the grazing reserves, had to arbitrarily double the figures of the amount received from grazing?

Mr. HAYDEN. Evidently they are trying to get the money from somewhere, and the grazing fees seemed to be an easy place to get it.

Mr. JOHNSON of Washington. And naturally they are called upon to produce the sums necessary to cover the deficit arising on account of the expenditures they are making for roads.

Mr. HAYDEN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Arizona asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HAYDEN. Mr. Chairman, under the permission just granted me I desire to have printed in the RECORD the following letter from one who is fully conversant with the methods of the Forest Service, and which clearly sets forth the position of the stockmen of Arizona:

Mr. WILLIAM BABBITT,
President Coconino Cattle Growers' Association,
Flagstaff, Ariz.

MY DEAR MR. BABBITT: You have no doubt recently received correspondence relative to the proposed increase in the grazing fees on national forests until in 1919 the fees will be double the present rate.

This I believe to be of vital importance and a question upon which some immediate action should be taken.

From a letter recently signed by the Secretary of Agriculture relative to this proposed increase is the following:

"One of the leading criticisms of the management of the national forests is that they are not self-supporting and are a burden upon the National Treasury."

Our national-forests areas were originally withdrawn and are still maintained to conserve the great natural resources of the West. This has placed in Government control beyond individual exploitation, except under Government regulation, unknown millions of dollars in

natural wealth which is and will continue to be increasingly of vast importance to the Nation.

In California there are forests withdrawn for no other purpose than the protection of watersheds on which the grazing of live stock is such a negligible factor that it could not be considered.

In Florida areas have been withdrawn under Forest Service management to protect the turpentine industry.

In Oklahoma is a forest withdrawn for the purpose of perpetuating the buffalo, and in the Northwest are forests withdrawn to conserve the timber, and on which practically no stock graze.

In spite of the fact that the national forests were withdrawn and are now maintained to conserve the great natural wealth of the West, which grows more valuable at a tremendous rate as time goes on, and which is a national investment of incalculable value to the whole people.

In spite of the fact that the moneys derived from grazing on the forest more than offsets the cost of its administration.

In spite of the fact that there are turpentine forests in Florida, buffalo forests in Oklahoma, hardwood forests in the Appalachians, and softwood forests in Washington in which the stockman has no interest except such as any other citizen would have, yet they are asking the grazing permittees to make up the fiscal deficiencies on these forests from Palm Beach to Seattle and from the Appalachians to the Pacific coast, and that this is the purpose of this proposed increase is most conclusively borne out by the following quotation from District Forester Reddington's letter in support of this advance in fees:

"The great criticism of national forest administration is that they are not self-supporting. This change will make them so."

If the great timber forests of the Northwest, the watershed withdrawals on which the grazing of live stock is prohibited, that the water may not be polluted nor the valleys flooded, and all the others that are not self-supporting, are worth conserving and maintaining, then this great Government of the United States should bear the expense of the maintenance of such units as are of no direct benefit to specific communities, and the cost of administering those units withdrawn for the benefit of separate communities should be borne by those directly benefited, and not attempt to wring from the meat producers of the West this deficit under the guise that grazing privileges on national forests are worth double what they now are compared with the price paid on Indian reservations and private lands, thus placing the arbitrary value on the privileges with no more argument or study in support of it than has so far come to light.

Relative to the "bonus" paid on stock using the forests, this same statement can be made to apply to the public domain, the Indian reservations, and wherever stock are grazed, and when the time comes that a bonus can not be paid for located stock over and above their market value on board the cars a period is reached in the use of that range which shows most surely that other conditions are unfavorable in the extent that it would not pay to locate there, because everyone knows that it costs money to locate stock on an unfenced range and can not be done without loss.

I have read with interest the article by T. S. Woolsey, jr., in the June, 1916, issue of the Forest Quarterly, "National forest revenue and organization." He makes the statement that grazing fees on national forests should be two or four times as much as at present, and to prove this he cites the following, which I quote:

"For example, on the Apache Indian Reservation, the 1916 year-long rates for cattle were \$2.50 and 50 cents for sheep. These rates were the result of competitive bid. Forest Service timber sale rates are in theory at least also fixed by competitive bid. On the Sitgreaves, which joins the Apache Indian Reservation, the year-long rate for cattle is 48 cents and for sheep 12 cents."

Such an unqualified statement, I believe, to be misleading to the public and should not go unchallenged.

Just what is the comparison between grazing on a national forest and an Indian reservation?

Sheep and cattle are not allotted to the same range on an Indian reservation, nor do they allow on the same area more than one permittee, which is of great advantage in the economic use of the area. On a national forest they do.

On an Indian reservation a permittee may buy the stock and grazing privilege of the whole reservation if he so desires.

On a national forest he can not.

On an Indian reservation you may construct as many small inclosures as you desire without extra charge for the forest material necessary for its construction or the area involved.

On a national forest you can not.

On an Indian reservation the permittee is reimbursed for permanent improvements made on his allotment by the deduction of that amount from his grazing tax. On a national forest he is not.

On an Indian reservation the lease and privilege is for a term of five years, and no advance can be made during that time, which is of immense value to the lessee. On a national forest only an annual lease can be obtained, and a raise in fees possible each year.

Do permittees on an Indian reservation own patented land and water "commensurate" to their stock? On a national forest they are compelled to own land and sufficient water which, on the Coconino Forest mentioned in Mr. Woolsey's article, is more than enough to destroy the use of this forest for grazing purposes should the stockmen close their own water, at least until such time as more could be developed, which would be years, and then only in uncertain quantities. The stockmen have made the full utilization of the Coconino Forest possible at their own expense; and on the Canyon division of the Tusayan Forest, which joins the Coconino on the west, there is not a drop of water except that developed by the stockmen. This also applies to the northern portion of the Coconino of approximately one-half million acres. Furthermore, as you know, a drift fence was completed last summer at a cost to the cowmen alone of \$10,000. Not only that, but the contract with the Government was so drawn that the cowmen must keep this fence in good repair for 10 years, at the end of which time it becomes the property of the United States. This fence was constructed to prevent the overstocking of national forests range and is in the interior of the forest and entirely on forest land. Mr. Woolsey also fails to mention the fact that the Coconino National Forest pays a net return over and above the cost of its administration of from \$65,000 to \$100,000 annually.

The live stock on the Indian reservation may change hands as often as desired without reductions, thus permitting the stockman to take every advantage of the live-stock market.

A grazing permit on a national forest must be held at least three years before it is transferable, and is then subject to a cut of 20 per cent.

And so on and on one restriction follows another until in actual fact and in actual operation there is no comparison between grazing privileges on a national forest and on an Indian reservation from a commercial standpoint, and the very best proof of this is that grazers on both the Sitgreaves and Coconino National Forest are making every effort to dispose of their holdings on these forests and go to the Indian reservation instead, but are hampered by the drastic regulations governing the transfer of their holdings on the forests.

The forest service has to this time expended hundreds of thousands of dollars to perfect and maintain a system for preventing and fighting forest fires; yet this would not be a "drop in the bucket" to what would have to be expended were it not for the live stock that keep the excess under cover and grass down to a point where the spread of fire is minimized. These areas would not be forests, but fire traps instead, which means a direct saving to the Government of vast sums of money in actual cash, besides an incalculable amount of valuable timber. I understand that the service is seriously considering the placing of live stock on parts of some forests where they do not now graze as the cheapest and most effective way of combating that greatest of all menaces to a forest—fire.

The Forest Service has spent thousands of dollars in an exhaustive study of the timber business, which goes into great detail as to the cost of logging, the cost of transportation, the cost of milling, the depreciation on the plant and rolling stock, capital invested and interest on same, and then sells the timber so that the manufacturer can have a fair profit, which to my mind is sensible and fair.

Has the stockman ever had such a study made of his business?

No. Yet the department has more than doubled the present rate on live stock and has set the last date of hearing for February 1, 1917.

The semiarid States of the West must always be the great breeding ground of the United States. National forests in these States will therefore always be a very important factor in the production of live stock and its products. The forests now embrace the high timberland principally adapted for summer use as a grazing ground, and they do not control winter forage land in a sufficient quantity to support the summer areas, and they are fully utilized now only because the wool-growers find winter pasture far removed from the summer areas.

With the 640-acre homestead bill, with the constantly increasing difficulty experienced in trafficking to their winter range, the time can not be far distant when there will be grazed on the forests only that amount of stock that can winter on the lands immediately adjacent to it, therefore I am of the opinion that the department should be urged to protect their summer areas by including enough winter range to support them.

When this is done and the Government obtains control of the land and water now owned by the stockmen, then, and not until then, in my opinion, can the grazing resources of the national forests be successfully commercialized in a manner that will rebound to the public good.

The Forest Service has promulgated and have now in force a regulated system of grazing on their forests of which they may justly be proud, covering an almost unbelievable range of conditions as wide as this great country itself. This has been possible through the very closest cooperation of the stockmen and the service; a condition enjoyed in no other branch of the Government service, irrespective of its age or worth. Shall this most beneficial condition be destroyed by placing this proposed arbitrary advance upon the grazing resources of our national forests without that measure of consideration and study as is employed in other forest commodities?

The cooperation and support extended the service in the past shows most conclusively that the stockmen not only do not fear but favor the regulation of their business based upon fairness and "the greatest good to the greatest number"; but they do fear regulation such as this proposed one, based, it pleases me to believe, on prejudice and misinformation in asking the stockmen to pay the interest on a Government investment of increasing value to the whole people.

Very truly, yours,

E. H. CRABB.

FLAGSTAFF, ARIZ., December 4, 1916.

Mr. FERRIS. Mr. Chairman, I move to strike out the last word, for the purpose of asking the gentleman a question.

The CHAIRMAN. The gentleman from Oklahoma moves to strike out the last word.

Mr. FERRIS. Mr. Chairman, I am not interested in the price that the cattlemen pay, but I am interested in the method of distributing the permits among the cattle growers using the grazing lands. For example, we have a small national forest in my State, and years ago large herds, owned by a few men, were permitted to go in there. Since then the country has settled up, and the small homesteader would like to put in a few cattle; but still these large herds are shipped out in the spring and back in the fall, and pay no taxes, and the regulations are either wrong or are not adhered to. I know that they have regulations which provide for class 1 and class 2 and class 3 permittees, but somehow, as a practical working of the proposition, they do not adhere to those regulations. I wanted to know if the chairman of the committee had heard any complaints from other sources?

Mr. COX. What is class 1?

Mr. FERRIS. Class 1 is a homesteader or a cattle owner who lives in close proximity to the forest, a near-by neighbor of the forest, so to speak.

Mr. COX. It does not take into consideration the number of cattle?

Mr. FERRIS. No. In my section the forest is small and the grazing area is limited, and it is worth a great deal to a cattleman to get his cattle into a reserve for a small permit tax for the season. The charge for a steer for the season, I think, is 50 cents, and he grows \$10 worth of beef for the 50 cents.

Mr. JOHNSON of Washington. The inference is that the grazing of large herds of cattle makes it almost impossible for a man with a small herd to graze his cattle.

Mr. FERRIS. That is exactly the trouble. The point is, there are numerous complaints made to me every summer when I go home from people who say they can not get a square deal, who can not get their stock into the forest. I took the matter up with the Forest Service here, and they said they would make an order reducing the number, and they did make an order reducing it, but the reduction was only 10 per cent.

Now, the homesteaders would all starve to death or be driven from the country before they would ever get rid of a man with a herd of 10,000 or 15,000 cattle under a 10 per cent annual reduction. That is too slow a process, and there ought to be an equitable rule provided, either here or in the department, as to permitting cattle in these reservations when applications are made greater than the capacity of the forest range. Of course, where there is no demand on the forest, that would not be necessary. I have not framed an amendment and I presume I can work it out with the department. It has not been going just right on the grazing. I feel sure everything else is all right.

Mr. LEVER. The gentleman from Oklahoma has asked me if any complaints have come to the committee as to that situation. I will say very frankly that no complaints have come.

We have received no complaints whatever. In the second place, I will say to the gentleman from Oklahoma, and I think every member of the Committee on Agriculture will agree with me, that year after year the committee have been given the impression by the officials of the Forest Service that their regulations and their sympathies were entirely with the small grazer.

Mr. FERRIS. I do not want to say enough to amount to an attack on them in their handling of it; I merely want justice done, as I am sure all concerned do.

Mr. LEVER. I appreciate that.

Mr. FERRIS. But this is what happens: It is a great deal easier for the superintendent of a forest to deal with one man owning 15,000 cattle than it is to deal with 15 men owning 1,000 cattle each. There is not so much trouble about dipping the cattle to get rid of the ticks, and there is not so much trouble about branding them, and rounding them up, and collecting the fee for the permits. They can collect from one man a great deal more easily than they can from several men, and the tendency is for the superintendent of the forest, and the rangers, and everybody else to sweep aside the little one-horse homesteader—with my apologies to my friend from Pennsylvania [Mr. Moore] about the homesteader—and to let the big fellow go on. I think the chairman of the Committee on Agriculture would do a good service for the homesteaders if he would look into that. If I can find the time, I want to give it some attention myself. I am a friend to the Forest Service, and I do not want them to make errors in handling the grazing.

Mr. LEVER. I am very glad to have the gentleman from Oklahoma call this matter to the attention of the committee.

Mr. RAKER. Mr. Chairman, I move to strike out the last two words.

There are three matters in regard to the use of the forest reserves. Two of them are important and ought to be rectified and corrected. The first is that we permit no man who is not a citizen of the United States, or who has not declared his intention to become such, to obtain our public lands; therefore no man ought to be allowed to obtain a permit, directly or indirectly, for the use of the forest reserves unless he is a citizen of the United States or has declared his intention to become such. In my part of the country complaint has been made that men who are not citizens of the United States have been running large bands of sheep onto the reserves, driving away the home people. Second, boys who have grown up in the country, whose fathers have given them a little land, and who are starting out with a bunch of 25 or 50 cattle, can not get permits to run their cattle on the range where their fathers grazed the same cattle and in the community where the boys have grown up. Having been raised there and having helped to build up the country, they ought not to be excluded from the territory that they have made possible for settlement.

Now, third, as to this increase in the range fee, the people in my part of the country are up in arms against it. They think it is an injustice heaped upon them without any occasion. Several of these forest reserves are paying more now than their entire upkeep. Last night I got some letters and telegrams in regard to this matter. We have one reserve which pays more than \$2,000 over and above the cost of upkeep. Yet the range fee is now to be doubled to men who, with their fathers before them, have lived there for 40 years and have helped to build up and maintain that country. They are to be taxed out of existence by this increased range fee when the amount collected is already more than enough to pay the entire expense of maintenance and upkeep, to say nothing of the receipts that will come from the sale of timber, and so forth. That these

men should now be subjected to twice the previous charge does not seem right, and I want to appeal to the chairman of this committee that something be done so that this fee may not be raised.

It has been said—I am not going to be sponsor for the truth or falsity of it—that in a few sections of the country where the large cattlemen are desirous of driving out the small homesteaders, these large cattlemen have appealed to the department, asking that the fee be increased for the use of the range, so that the small man, with the expense of his farm and of the handling of these cattle, and the expense of raising his family and maintaining schools and other improvements, may be taxed so that he will not put any more of his cattle on the range, but will sell them out to the large stock owner. If that is true, it is unfortunate. It is true though that these people in my country are paying enough now to more than maintain the forest reserves, and the department ought not to be permitted to do it. I was figuring on offering an amendment, which, of course, would be subject to a point of order, prohibiting the department from increasing beyond a certain limit the forest-permit fees for those desiring to use the range.

Mr. LEVER. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. LEVER. Can the gentleman from California tell the committee how the grazing fee charged by private parties compares with that charged by the Government?

Mr. RAKER. Without having the figures before me I am not prepared to give them, but I think a double fee would be more than is charged by the local people in my country.

Mr. LEVER. In other words, the gentleman's statement would be that the private individual is getting twice as much as the Government is getting.

Mr. RAKER. Not for the same kind of land. The gentleman must remember that the ranges are not fenced, and there are places where cattle have to go from 5 to 10 miles for water, and much of the territory is open, rough, juniper, and lava-bed country, where they travel a long distance for water.

Mr. LEVER. Does the gentleman know how much an acre the individual gets for grazing land?

Mr. RAKER. No; because it would differ as to locality.

Mr. LEVER. I have the figures here.

In California the Southern Pacific Railroad Co. obtained 5 cents per acre for land leased for sheep grazing, while similar and adjoining national-forest lands yield 1½ cents per acre. Is that about right?

Mr. STAFFORD. No wonder there are protests.

Mr. RAKER. That does not cover the question. The law has been such that the Southern Pacific Co. could control the land because they own it. Under the law if my animals trailed onto the land they took them up and I was subject to trespass. But under the law enacted by the last legislature when the holdings are not closed they are open to the commons and they do not find themselves in a position to rent the land as they did before. And still that does not answer the question. The reservations were not created for the purpose of making money for the Government; they were not created for the purpose of fleecing farmers out of what little profit they might make. They were made for the purpose of protecting the forests, for the purpose of conserving the Government's property. If you are going into a money-making business and charging all that the traffic will bear, if you are going to charge an amount equal to that of privately owned lands that are fenced, then you simply say you are going into competition with privately owned lands, and are going to charge the same price as those who own privately owned lands, and that that is the purpose of the reserves. If that is so, the real purposes of the reserves have been forgotten, and now it is a question primarily of how much money can be taken to assist the Government. I trust, Mr. Chairman, that the committee may relieve the situation.

Mr. McLAUGHLIN. Mr. Chairman, I move to strike out the last word. Complaint as to charges made by the Forestry Service for grazing is not new. We have heard it every time an appropriation bill from the Committee on Agriculture has been considered in the House. And it is not strange that complaints were made when it was proposed to charge for grazing on the public lands, because previous to the organization of this service no charge whatever had been made. People had been accustomed to use the ranges without paying anything for them. They resented the action of the service and Congress in imposing any charge whatever.

I have some figures here in the report by the Forester as to the relative charges made by private interests and the Forestry Service, which in this connection may be interesting. It says that the present users of the national-forest ranges are paying

much less than the prevailing local rates on private, State, and Indian lands. In Montana, lands of the Northern Pacific Railroad leased for sheep grazing bring the equivalent of 25 cents per head as against a charge of 5 cents on adjoining national-forest lands. On the Crow Indian Reservation, in the same State, competitive bids realized 81 cents for sheep, while cattle grazers bid \$3; on adjoining national forests the sheep rate is 13½ cents and the cattle rate 54 cents. On the White Mountain and San Carlos Indian Reservations, in Arizona, cattle pay \$2.40, horses \$3, and sheep 50 cents; on adjoining national-forest lands, quite as good, cattle pay 48 cents, horses 60 cents, and sheep 12 cents. In California the Southern Pacific Railroad Co. obtains 5 cents per acre for land leased for sheep grazing, while similar and adjoining national-forest land yields 1½ cents per acre.

Mr. RAKER. Does the gentleman know where that land is?

Mr. McLAUGHLIN. I take it that the Forester is making a truthful statement.

Mr. RAKER. I am not questioning that, but the gentleman must remember that California is 800 miles long.

Mr. LEVER. But these comparisons are on adjoining land.

Mr. McLAUGHLIN. Yes; it compares adjoining lands. The Forester says "on adjoining national forest lands quite as good," and as to the lands in California he says "on similar and adjoining national forest lands." The charge on the Government land is about one-quarter of that charged by the Southern Pacific Railroad Co. Now, the Forestry Service is not treating the settlers out there or anyone else harshly.

Mr. RAKER. Will the gentleman yield?

Mr. McLAUGHLIN. Yes.

Mr. RAKER. Does the gentleman think it is right and fair for the Government to charge more—considerably more—than all the expense of maintaining one of these forest reserves and then doubling the fee to the users?

Mr. McLAUGHLIN. I think, as a business proposition, the Government ought to charge for the use of the forests what they are worth, proper consideration being given to small holders and actual settlers who are struggling to make homes in or adjacent to the forests.

Mr. RAKER. And abandon the protection theory of the forests and go into the commercial business of leasing range lands?

Mr. McLAUGHLIN. We have not abandoned that idea. We have been protecting and developing forests, encouraging settlement, and regulating it from the beginning, and what has been done by the Forestry Service is helpful to the actual settler. Timber to a large amount is given to the settlers; they get all the timber they want for their own use without any charge whatever. Many of them get grazing without charge.

Mr. RAKER. Does the gentleman realize that there are many men who used to cut wood for their hotels, for their dwellings, but now people who go up there can not get old dead trees to burn in their stoves?

Mr. McLAUGHLIN. I realize that years ago there was no protection for the forests and no regard on the part of anyone, settler or cattleman, for the rights of the Government in the land it owned. There was waste and deliberate and wholesale appropriation to private use of the country's resources, and without regard for the public interest. It is refreshing to know that public property and the interests of the public are now conserved and protected.

Mr. RAKER. That was before the settlement of California.

Mr. MONDELL. Mr. Chairman, I move to strike out the last two words. The Forester, in his last annual report, announced a change of policy relative to grazing fees. They propose an annual increase for three years in grazing fees, which will aggregate at the end of that period on the average a doubling of the present fee. I assume that will not be the result in all cases, because I take it for granted that in some cases the present fees will be increased more than in others. The authority to charge these grazing fees does not rest on any legislation carried in this bill. Neither would any amendment that might be offered to this bill affecting the fees be likely to be favorably considered. As a matter of fact, any such amendment that might be offered would be subject to the point of order, so that it would be entirely useless for any of the western Members who feel aggrieved by reason of this proposed increase to offer an amendment to this bill or a proposition upon this bill to prevent it. Several gentlemen have expressed their views as to the propriety of these increases. Of course, those of us who represent western constituencies where there are large forestry areas are all anxious to have our people secure the benefits of these reserve areas with as little burden as possible, but we realize that we can scarcely expect that they shall have these benefits continuously while the Govern-

ment is expending large sums of money on the reserves without some fair and reasonable payments.

Mr. HAYDEN. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. In just a moment. The question is—and this discussion is rather academic because we can not remedy this situation now—is the proposed increase fair and reasonable? I now yield to the gentleman from Arizona.

Mr. HAYDEN. Mr. Chairman, the people in Arizona are of opinion that it is unfair and unreasonable because they are now collecting from those forests more than enough to pay for the administration of the grazing, and it was always their understanding that that was the limit of charge to be placed upon them. It is of no interest to your constituents or to mine whether lands are conserved in some other State for the benefit of the whole people of the United States. If these forests in other parts of the country are to be preserved for the benefit of all of the country, all of the country should pay for preserving them, and the burden should not be placed on the gentleman's constituents and mine.

Mr. MONDELL. The gentleman realizes he does not need to make that argument to me, for I agree with him. That is an argument which may properly be made to the House.

Mr. RAKER. Does not the gentleman think that we have reached a proper state of collection when they have collected enough from the permits to pay for the running expenses in handling a particular reserve?

Mr. MONDELL. By and large and in the main that would seem to be a proper adjustment; but I want to address myself to the situation now before us. The question is, Will these increases be fair and reasonable? My own opinion is that if the Forestry Service doubles its grazing fees, the total will be a sum which will be burdensome and unfair and inequitable. On the other hand, I imagine there are some forests where the grazing fees might properly be slightly increased without burden—

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MONDELL. I have no doubt but that the Forestry Service wanted to be entirely fair in its comparisons as between the present fees on the reserves and the fees or charges made by private parties or on Indian lands, but I think the department is not accurate in all of its comparisons. I am very well acquainted with some of the territory referred to in the comparisons. I know, for instance, that there is no land on a national forest anywhere in the vicinity of the Crow Reservation that is anything like as valuable for grazing purposes, acre for acre, as the Crow Indian lands along the Big and Little Horn Rivers. Those lands have a very considerable rainfall for that country and do produce a very considerable amount of very excellent grasses, while the grasses on the Big Horn Forest Reserve adjacent are of a different character, not so valuable for grazing purposes, and generally the amount of forage per acre is much less. Furthermore, you can not compare, ordinarily, on an acre-for-acre basis the value of forest reserves with those of privately owned lands or Indian lands or any other lands adjacent to the forest reserves for various reasons.

First, the grazer on the national forest has laid upon him certain duties and obligations. He pledges himself to aid and assist the Government whenever necessary in preventing and putting out fires, and sometimes those grazing live stock on the reserves perform services in this regard of very great value and at times at much greater cost to them than their grazing fees for a number of years. That obligation is not only somewhat of a burden, or likely to be, but it is of very great value and advantage to the Government, because it assures the Government of a certain number of people who are in the vicinity and whose duty it is to immediately assist in putting out a fire when one starts. Furthermore, privately owned lands, such as are leased, Indian lands, such as are ordinarily leased, are in the main very much more accessible than the mountain forest lands. In many cases those utilizing the national forests must drive their stock a very considerable distance, in some cases as far as 50 to 150 miles, in order to reach the grazing grounds, and the cost of taking the stock back and forth is considerable, and the cost of looking after stock in a mountainous region, an unbroken and inaccessible country, is very much more than it is in the lowlands, where the privately owned property lies. So that you can not well compare the two propositions. However, I think this is true, that we can scarcely hope that the grazing fees shall permanently in all cases remain as low as they have

been. I am of the opinion, however, that the increase suggested by the department will not be justified in the majority of cases at least.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent that I may have three minutes more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent for three minutes more. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, I am of the opinion that the service contemplates an increase that is not justified. I am very confident that it is not justified on reserves in my State, where the grazing areas are a very considerable distance from the summer pastures, where the cost of driving the cattle and sheep is very considerable, and where the character of the grazing territory is not very satisfactory. I am in hopes before these increases are carried out as now suggested the Forestry Service will reconsider the matter and will where they insist on increases make them less than they now propose.

The Forest Service can, it is true, make this grazing privilege in many instances much more valuable than it is, and if the service in increasing in any given case will endeavor to make the privilege more valuable, it is possible the parties using the reserves may in the long run find themselves as well situated and as well satisfied as they now are. But this is not a very good time to increase the cost of meat, when it is higher than it ever has been in our history. This is hardly the proper time to make it more expensive than it has been in the past to produce beef and mutton, and therefore it is scarcely the proper or opportune time for placing any additional burdens upon those using the forest reserves for meat-producing purposes. As we can not prevent some increase by any action that we may take, we can only hope that the Forest Service in making such increases as it shall insist upon will give careful consideration to the existing conditions and make the increases, if any, much less than they now contemplate.

Mr. KENT. Mr. Chairman, I move to strike out the last two words. I realize there is nothing to be amended, nothing in particular to be done, but I am infernally sick of this tommyrot about grazing fees and grazing privileges. I have been in Congress for nearly six years advocating a sane and sensible theory of governmental leasing of the ranges, to the end of giving the small stockman an opportunity, the man without large capital, the only possible opportunity to conduct a grazing business. To-day the only place that a small man can make a living in the live-stock business is in conjunction with the forest reserves. The forest grazing fees up to date have been extremely low. I know that of my own knowledge, because I am paying them, and I am paying them cheerfully and am glad to pay them. The forest reserves can stand larger grazing fees. I doubt very much whether they ought to be generally doubled; but they can stand raising in many cases. This afternoon we are hearing foolish talk from men who have done everything in their power to destroy the live-stock business, men who have continually talked as if every inch of the West ought to be covered by agricultural settlers, in a portion of the country that will not support agriculture. I am dead sick of all this bunk and misrepresentation. The thing we ought to do, and I am sorry I am going out of Congress before we can get it done, is to realize that the Federal Government should recognize the live-stock industry as one worthy of support; recognize that the live-stock man, who is making the only use that can be made of certain arid sections of this country, is the one man that we ought to encourage and help. We should stop this attempt to break down range control, and cease attempts to cut it up by blackmailing homestead people destined to failure by misplaced effort. We ought to recognize the small stockman as the best friend of the arid region until such time as higher uses may be proven out. Under no plan but a leasing system can justice be done to the present and the future.

Now, I have been paying these grazing fees in the forest reserves. I am the first range owner in the State of Nevada to sustain a policy of forest reserves that contain no trees. It has been a good thing for Nevada that there should have been forest areas set apart, not for the preservation of the timber but for the proper preservation of the grass and other forage. In the business in which I am engaged we have benefited largely by such a policy, and it has been the same way all through the country. I believe that these fees can be raised in some localities without hardship or injustice. The grazing fees are now cheap. The relative charge of grazing with the present price of live stock is but a small percentage of cost; nothing as compared with the benefit derived from the protected certainty of securing forage. And if, as has been claimed, these fees are so low that

they create a vested right that can be bartered and sold, then the blame is partly on the Agricultural Department that such rights are not subdivided and relet, and it is also up to the Agricultural Department to make the rates so reasonable and fair that they will no longer be a matter of barter and sale.

An immense area of our western country is only fit for grazing. The attempt should be made to give the small man a chance. He can not secure land enough to conduct his business except by leasing the public domain. He can afford to pay fairly for that privilege. The men declaiming against fair and adequate payment in the forest reserves are the same men who have treated the stockman as an outlaw.

Mr. MANN. Mr. Chairman, I take it that those who obtain permits for grazing on forest reserves have sheep and cattle and are in competition with those who graze sheep and cattle on other land whether it be their own or leased land. I never have been able to see any reason why the Government of the United States should grant some special privilege to some special persons who were fortunate enough to obtain grazing permits in certain forest reserves. Everybody who raises sheep and cattle can not obtain these permits if they are lower and would be charged upon other land. And if it is to be a matter of favoritism purely for the benefit of those who obtain the grazing permits, then it is not fair to the other people who endeavor to produce cattle and sheep, and it is not fair to the general public. We ought to charge reasonable fees for grazing. They ought not to be essentially lower than would be paid by other persons for grazing upon other lands. Probably they can not be much higher, because you can not force people to take grazing permits and graze sheep and cattle. Unless there is a profit in the business or unless people think there is a profit in the business they will not take the permit.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Inyo National Forest, Cal. and Nev., \$3,076.

Mr. RAKER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California moves to strike out the last word.

Mr. RAKER. Mr. Chairman, in regard to this grazing fee, I have a letter in my hand of date December 29, 1916, from Alturas, Modoc County, Cal., signed by W. J. Dorris, who was born and reared in that county, a live, up-to-date, forward-looking gentleman, whose word is his oath, and who is one of our live citizens and a cattleman who has had broad and extensive experience in that matter. I want to read a few extracts from that letter to this committee. I read:

Not a very great while ago I received a copy of a letter sent out by the Secretary of Agriculture, notifying the purchasers of grazing upon the national forests that it is the intention to double the grazing fees.

Ex-President Roosevelt, recognizing the menace to the material progress of our country by the trend of the country population to the cities, appointed a commission to inquire into the causes of this exodus.

If the President of the United States wishes to keep the country population at home, developing the agricultural resources of the country, for goodness sake let him make it possible for the country individual to surround himself with those conditions which will make country life as pleasant and profitable as city life for the same amount of energy and intelligence employed. Then, and not until then, will the country boy be satisfied to remain at home on the paternal farm and work like the very dickens to make the soil yield forth its concealed treasure.

Trade is based upon production, and no country can advance faster than the resources placed within its reach by its producers. The ox can not draw the plow without his fodder, nor the bull's tail outrun his head.

It makes me "hot under the collar" to see the National Government resorting to this means of raising the tax on the stockman of Modoc County, just as if he is not already bearing his share of the expense of maintaining the Government. What, with the duty on farm equipment and the reduction of the duty on his farm and meat products, besides his State and county taxes, his present grazing fees, and what not, is he yet to have his taxes raised, in this indirect way, under the guise of an additional grazing fee, so that a well-paid official class having more luxury in one day than our Fitzpatricks, our Archers, and our Paynes enjoy in an entire month, may be built up and maintained upon the "sweat of his brow"? And just at a time when Modoc County, having recovered from the long depression and hard times in the live-stock industry, before the era of living prices came, is beginning to develop the internal resources of the county, a pall is to be placed upon the agricultural growth of the West, under an approaching cloud of overproduction of meats, which the observing see no way to get from under until the storm wears itself out, the breakers subside, and the survivors are able to reach port, battered hull listing in the tides, and tattered sails flapping in the breeze.

It seems to be the idea of the Secretary of Agriculture to commercialize the national forests and run them upon a basis of profit in competition with private enterprise, while Congress gives away the remaining lands in the public domain eventually to be controlled by monopolies.

I have voted for a lot of Democrats in the last few years, but if God will forgive me—

[Laughter and applause.]

I'll not do it again except in the case of one through friendship too strong to be broken by political ideas.

The trend of the Government is toward the reducing of the profits of agriculture and stock raising, and the building up of a well-paid office class of superior fiber, and the reducing of the farming and stock-raising classes to an inferior class upon the par of the peasantry of Europe.

The income of the Modoc National Forest to-day is more than sufficient to meet all legitimate expenses of its administration. For the year 1916 the receipts of this forest from all sources were \$22,498.81 and the disbursements for the maintenance thereof were \$19,612.72, leaving a net balance of profit for the year of \$2,885.59.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Chairman, I want two minutes more to finish this.

Mr. STAFFORD. I object.

Mr. RAKER. Let me go on and make my request for unanimous consent to insert it in the RECORD.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed for two minutes. Is there objection?

Mr. STAFFORD. I object.

Mr. RAKER. Then I move to strike out the last two words of this paragraph.

Mr. STAFFORD. Mr. Chairman, I make the point or order that the gentleman can not do that.

Mr. RAKER. I hope the gentleman will not stop me from that.

Mr. STAFFORD. That is not the way to do it.

Mr. RAKER. There is a way to do it, and I will make another motion.

The CHAIRMAN. The committee will be in order.

Mr. RAKER. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from California moves to strike out the last two words.

Mr. RAKER. I read further:

And the profit derived from grazing proportionately was considerably greater by reason of the proportionately smaller expense of managing the grazing upon the forest.

Mr. STAFFORD. Mr. Chairman, I make the point of order that the gentleman is not speaking to the amendment.

The CHAIRMAN. The gentleman will proceed in order.

Mr. RAKER. Is not this under the Forest Service, as to the expense of maintenance of a forest? The question involved is as to whether or not it is exorbitant or not. Surely it is. I read:

This is not an answer to the Secretary's letter, which I shall answer when impulse has time to yield to reason. To-day I feel just like calling names. I shall send you a copy and ask you to present it for us. * * * We have just received a splendid little book on the Diseases of Horses from you, which was prepared by this same Department of Agriculture that I have been writing about above. I thank you for it.

The letter is signed "W. J. Dorris."

My purpose in reading this letter to the committee is to impress the idea that those upon the ground best know the situation. This letter voices the sentiment of 99 per cent of the people in northern and northeastern and eastern California. Give these men a chance to swim. Do not load them down beyond their capacity and power to keep their heads above water. I am not here stating how much taxes I have assisted in paying upon the national forests, nor am I here stating that the first forest reserve that was created in the northern part of California was created at a meeting which I called, where the farmers came in and decided to establish that forest and assist in that way in building up the country. And while we are building up the country, it is not the purpose to tax those who live there out of existence and compel them to leave the country and deprive them of the necessary profits that ought to come to the country and bring in others in their place. There is no question but that it is a wrong policy on the part of the Government, and I believe eventually they will not be permitted to charge such a rate.

Mr. HAUGEN. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. HAUGEN. In view of the promise that was made that the Forest Service shall be self-supporting, and in view of the shortage that has existed, should not the Forest Service or the Government be permitted to make its promise good?

Mr. RAKER. In answer to the gentleman's question, that would be all right; but you ought not to go into the districts that are now paying more than what is necessary to make a forest in order to gather large revenues to scatter them in other parts of the United States. It is not fair nor right. It is not the way we do business in other parts of the country. You go to northern California and other forests and want to tax them to the very verge of bankruptcy in order that some other State might make a better showing, and charge a larger proportion of the amount in the grazing fee.

Mr. MANN. Why does the gentleman say "tax them"?

Mr. RAKER. It is the same thing as a tax.

Mr. MANN. Is it their property?

Mr. RAKER. Oh, it amounts to a tax. This idea of having the public domain in a State whereby the public may use it and the State or Government pays no taxes on it, is not fair. We build our roads, we build our trails, we protect the farmers, we protect the Government's property, and in turn the citizens that live in that community and pay these taxes and upbuild the country and maintain an efficient corps of officers should not be taxed out of existence in order that the Government might prosper and spend its money in some other place.

Mr. MANN. These people who have grazing permits do not build the roads. They only pay their share of the tax, and we pay a larger proportion of the taxes than they do into their county.

Mr. RAKER. Not in our county, because we are raising a large amount of money for the purpose of paying the taxes and building roads.

Mr. MANN. You are not paying it.

Mr. RAKER. Most of those public-domain roads have been built, and roads are being built to-day and being maintained by the county and the State.

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes; I yield to the gentleman.

Mr. LEVER. I was just about to suggest that the gentleman's complaint in this matter seems to be about like this: The farmer has 100 acres of land, 50 of which will not produce enough to pay for the work put upon the crop. Another 50 acres will produce a good deal more. The gentleman complains that the farmer is a business man enough to make that 50 acres of land do business. Is not that the complaint?

Mr. RAKER. No.

Mr. LEVER. What is it?

Mr. RAKER. The complaint is that you are trying to tax our people on the Government land that they help to maintain and pay taxes to build roads, and so forth. They maintain their officers for the purpose of policing it, and now, because it is within a forest reserve, you want to double the tax and overburden them. I am inserting a letter from another gentleman, who lives in Alturas and who knows the facts, and it best demonstrates that these people are much perturbed over this contemplated increase on grazing fees—namely, a doubling of them. This should not be done; it is very unjust. Mr. Lynip's letter is as follows:

THE FIRST NATIONAL BANK,
Alturas, Cal., December 21, 1916.

HON. JOHN E. RAKER, M. C.,
Washington, D. C.

DEAR JUDGE: We have been informed that there is an intention on the part of the Government to raise the range fees for live stock on the national forests, and that the national forest in Modoc is now self-supporting, and that with a raise in the fees a great hardship would result to the stock interests of this section, as compared with other sections adjacent to national forests, on account of our remoteness from market.

I am therefore writing you for information, per request of some of the members of the executive committee of the stock association, to ascertain what is the proper procedure to prevent a raise in the grazing-fee charges.

I am, thanking you for the anticipated courtesy of an early reply,
Yours, very truly,

B. F. LYNIP, Cashier.

The Clerk read as follows:

Nebraska National Forest, Nebr., \$1,165; and to extend the work to the Niobrara division thereof, \$5,000: *Provided*, That from the nurseries on said forest the Secretary of Agriculture, under such rules and regulations as he may prescribe, may furnish young trees free, so far as they may be spared, to residents of the territory covered by "An act increasing the area of homesteads in a portion of Nebraska," approved April 28, 1904: *Provided further*, That the Secretary of Agriculture is authorized to use so much of any of the funds herein appropriated for the Nebraska National Forest as may be necessary to acquire by purchase or condemnation lands in Nebraska which he may deem necessary and suitable for nursery sites to be used for the purpose of growing trees for planting on the Nebraska National Forest, and for other purposes, authorized by law. So much, not exceeding \$1,200, of any funds hereafter appropriated for the Nebraska National Forest for any fiscal year to and including the fiscal year ending June 30, 1920, as may be necessary, shall be available for the purchase of land now under lease and used as a nursery site for the Niobrara division of the Nebraska National Forest, \$6,165.

Mr. ANDERSON. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. LEVER. I take it that the gentleman is reserving his point of order as to the new language in the paragraph.

Mr. ANDERSON. Yes; the only part that I have any objection to is that in line 11—

And for other purposes authorized by law.

If that language can go out, I have no further objection to the paragraph, and I will withdraw the point of order.

Mr. STAFFORD. I reserve the point of order pending the statement of what is to be done on the paragraph.

Mr. LEVER. The new language is clearly subject to the point of order. If the gentleman is going to make it, I do not think we need to take any time in discussing it. The gentleman from Nebraska [Mr. KINKAID] may be able to persuade his colleague to withdraw the point of order.

Mr. KINKAID. Mr. Chairman, I will say to the chairman of the committee that I do not know what that language is for, and I was going to rise to ask the honorable chairman what is the purpose of the language.

Mr. LEVER. If the gentleman will permit me, I will say that the department in its estimate says this:

The new language in this item will permit the department to acquire two small tracts of private land which are necessary in carrying on the nursery work authorized therein. The first tract contains about 18.25 acres. Through an error in the public-land surveys this tract was inadvertently included in the principal nursery which supplied the Nebraska National Forest when that nursery was established. The second tract, containing approximately 80 acres, constitutes the Niobrara nursery site, which for several years has been in use under a lease with an option for purchase. The addition of these tracts is essential to the successful development of reforestation in Nebraska, and suitable national forest land is not available for the purpose.

It was brought to the attention of the committee that the lease of this 80 acres of land was entered into some two years ago. It was a 10-year lease. They are now paying \$100 per year as rent, and with \$1,200 they can buy this land and own it themselves, and the committee thought that was a good investment.

Mr. KINKAID. Mr. Chairman, I fully indorse the explanation made by the chairman of the Agricultural Committee; but I want to ask the chairman the purpose of this language:

Other purposes provided by law.

I understand the purpose of the appropriation is for the purchase of these small tracts of land. That has been regarded as necessary and expedient for several years, and I think it would be a very good investment.

Mr. LEVER. I confess I do not know why that language is in there. I know of no other purpose.

Mr. KINKAID. I know of no reason why it should be there.

Mr. LEVER. I am willing that it should be stricken out.

Mr. KINKAID. I do not know of any reason why it should be there, yet there may be some good reason.

Mr. STAFFORD. I withdraw the reservation of the point of order.

Mr. LEVER. If the gentleman withdraws his point of order, I will ask to let the language go out.

Mr. COX. I want to reserve the point of order.

The CHAIRMAN. The gentleman from Indiana reserves a point of order.

Mr. COX. Is not the entire proviso new language?

Mr. LEVER. Yes; from line 5 to line 17 is new language.

Mr. COX. How much ground does the Government own there now—how many acres?

Mr. LEVER. I do not know just how many acres.

Mr. COX. Approximately?

Mr. LEVER. I should think probably 75 or 100 acres. I am not sure.

Mr. COX. The proposition is to buy 90 or 100 acres more?

Mr. LEVER. Yes; 98 acres.

Mr. COX. Is there any evidence before the committee showing how much the land would cost or what it is valued at?

Mr. LEVER. The proviso appropriates \$1,200 for the entire 98 acres.

Mr. COX. I must confess that I have never read the hearings on this subject. What are they doing there, anyhow?

Mr. LEVER. By authority of law they are growing nursery stock for reforestation purposes and distributing the young trees to the people of Nebraska in that semiarid region.

Mr. COX. None of this nursery stock is being distributed outside of the State of Nebraska.

Mr. LEVER. I so understand.

Mr. FOSTER. I should like to inquire if this is a part of the old Niobrara Military Reservation?

Mr. KINKAID. Oh, no. It is called the Niobrara division of the Nebraska National Forest because it is on the Niobrara River.

Mr. FOSTER. I wondered how close it was to the old reservation, or whether it was a part of it.

Mr. KINKAID. No; it is no part of it. It is more than 50 miles distant.

Mr. FOSTER. And never was a part of it?

Mr. KINKAID. Never was a part of it.

Mr. COX. I withdraw the point of order, Mr. Chairman.

Mr. LEVER. Has the Clerk reported the amendment which I offered?

The CHAIRMAN. It has not been reported.

Mr. LEVER. In line 11, page 36, after the word "Forest," I move to strike out the words "and for other purposes authorized by law."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 36, line 11, strike out the words "and for other purposes authorized by law."

The amendment was agreed to.

The Clerk read as follows:

Oregon National Forest, Oreg., \$16,009.

Mr. ANDERSON. I move to strike out the last word. My notes indicate that the estimate for the Oregon National Forest was \$6,000. The bill seems to carry \$16,009, and I was wondering whether that \$16,009 was an error, or whether the committee took some action with respect to that proposition of which I was not advised.

Mr. LEVER. No; that is undoubtedly a typographical error.

Mr. ANDERSON. It ought to be corrected.

Mr. LEVER. I ask unanimous consent that that part of the item be passed over temporarily until I can look into it. It escaped my attention.

The CHAIRMAN. Without objection, the item will be passed over.

There was no objection.

Mr. TILSON. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the Committee what the basis is for these different sums for the several national forests. How are they made up? I notice that they change from year to year; some increased considerably and some decreased.

Mr. LEVER. The changes are made on the basis of the estimates of the department as to the uses of the forests during the coming fiscal year, the amount of timber cut, the amount of grazing, and the amount of necessary work to be done on these forests in order to conserve them and to utilize them to the best advantage.

Mr. TILSON. I notice that in most cases it is an odd sum. For instance, here is one case where \$10,537 is appropriated. The next year perhaps it is reduced by two or three thousand dollars, and yet it is still odd money, as if they knew to a dollar just how much it was going to cost to administer that particular forest for a year from July 1 next. I wondered how exact they were in their estimates.

Mr. LEVER. They could not possibly know to a dollar. They have 10 per cent leeway, which gives them a certain latitude, but these estimates are made according to their best judgment.

Mr. TILSON. Then the odd money as a rule is just a bluff to give the impression that they have been very careful in their administration and in their estimates?

Mr. LEVER. It figures out according to their estimates.

The Clerk read as follows:

Additional national forests created or to be created under section 11 of the act of March 1, 1911 (36 Stat. L., p. 963), and lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted for the purposes of said act: *Provided*, That hereafter all moneys received on account of permits for hunting, fishing, or camping, on lands acquired under authority of said act, or any amendment or extension thereof, shall be disposed of as is provided by existing law for the disposition of receipts from national forests, \$86,100.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I assume that the method now pursued as to these funds received for permits for hunting, fishing, or camping revert to the Treasury. It is the opinion of many who have served here for some length of time that it is far better in the bookkeeping to have them go back to the miscellaneous fund of the Treasury, and I make the point of order on the proviso.

Mr. LEVER. I concede the point of order. The gentleman makes the point of order against the language and not as to the amount?

Mr. STAFFORD. I do not include the amount.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For investigations of methods for wood distillation and for the preservative treatment of timber, for timber testing, and the testing of such woods as may require test to ascertain if they be suitable for making paper, for investigations and tests of foreign woods of commercial importance to industries in the United States, and for other investigations and experiments to promote economy in the use of forest products, and for commercial demonstrations of improved methods or processes, in cooperation with individuals and companies, \$155,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. What is the purpose of the department in this new phraseology carried in the bill, "for commercial demonstrations of improved methods or processes in cooperation with individuals and companies"?

Mr. LEVER. I would say to the gentleman from Wisconsin that the department in its laboratory at Madison, Wis., has discovered some improved processes in making paper from the waste of lumber operations from southern pine and other species, and they have utilized the bark waste and discovered some process of kiln-drying western larch and other species. It is the purpose of this language with an appropriation of \$25,000 to demonstrate in the field or on a commercial scale in cooperation with individuals the methods that have been worked out in the laboratory at Madison, Wis.

Mr. STAFFORD. It is extending in practical work the experimental work of the laboratory?

Mr. LEVER. It is taking out into the field and putting into useful service the technical information that that great laboratory has gained in experimental work for many years.

Mr. STAFFORD. I withdraw the point of order.

Mr. FOSTER. I renew the point of order. I notice that last year there was in the bill, in line 23, after the word "tests," the words "within the United States." That language is omitted here.

Mr. MANN. Where else do they propose to conduct experiments except in the United States?

Mr. LEVER. Probably that language, in view of the action of the committee, ought to go back into the bill. The department estimated a considerable amount of money—I think \$10,000—permitting them to examine into the forestry products in Latin America and some other countries. The committee took the position that we ought not to do that and disallowed the amount.

Mr. MANN. Then we ought to restore that language.

Mr. LEVER. I am inclined to think the gentleman is right. If the point of order is withdrawn, I will insert the language.

Mr. FOSTER. I withdraw the point of order.

Mr. LEVER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Insert after the word "tests," line 23, page 41, the words "within the United States."

The amendment was agreed to.

The Clerk read as follows:

For other miscellaneous forest investigations, and for collating, digesting, recording, illustrating, and distributing the results of the experiments and investigations herein provided for, \$33,140.

Mr. LEVER. Mr. Chairman, I ask unanimous consent to return to page 36 of the bill, line 24, the Oregon National Park. I move to strike out the figures "16,000" and insert the figures 6,000." I am satisfied that was a typographical error.

The amendment was agreed to.

The Clerk read as follows:

For the construction and maintenance of roads, trails, bridges, fire lanes, telephone lines, cabins, fences, and other improvements necessary for the proper and economical administration, protection, and development of the national forests, \$450,000: *Provided*, That not to exceed \$50,000 may be expended for the construction and maintenance of boundary and range division fences, counting corrals, stock driveways and bridges, and the development of stock watering places on the national forests: *And provided further*, That no part of the money herein appropriated shall be used to pay the transportation or traveling expenses of any forest officer or agent except he be traveling on business directly connected with the Forest Service and in furtherance of the works, aims, and objects specified and authorized in and by this appropriation: *And provided also*, That no part of this appropriation shall be paid or used for the purpose of paying for, in whole or in part, the preparation or publication of any newspaper or magazine article, but this shall not prevent the giving out to all persons without discrimination, including newspaper and magazine writers and publishers, of any facts or official information of value to the public; In all, for general expenses, \$3,263,275.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I remember when this item went into the bill in reference to newspaper and magazine writers and publishers. We make discrimination here against the Agricultural Department in favor of the Interior Department, which maintains a regular magazine, which it publishes all of the time. If we should apply this to the Interior Department it would stop that work, and if it is a good thing in the Interior Department why is it not a good thing in the Agricultural Department?

Mr. FOSTER. Does this prohibit them from publishing in connection with their work such publications as are issued from the Department of Agriculture?

Mr. MANN. Not at all; but the Interior Department issues a magazine. It is a regular magazine, just like any other magazine.

Mr. FOSTER. Does this prohibit the Agricultural Department from doing the same thing?

Mr. MANN. Of course it does.

Mr. FOSTER. I mean within the department?

Mr. MANN. I think so.

Mr. HAUGEN. The Department of Agriculture publishes a magazine.

Mr. MANN. What kind of a magazine?

Mr. LEVER. The department issues what it calls its Weekly News Letter.

Mr. MANN. That is another proposition entirely. The Interior Department publishes a regular magazine, not just like the Century Magazine, but like many other magazines that are published, and it gives it away to people in the irrigation branch—I suppose those taking up land under the irrigation schemes.

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. HAWLEY. The Department of Agriculture publishes a Weekly News Letter of the same character.

Mr. MANN. It is a very different thing.

Mr. STAFFORD. Why should not we apply this limitation to the Department of the Interior?

Mr. MANN. I do not know but that the magazine issued by the Department of the Interior is a very good thing. I do not say that it is not.

Mr. FOSTER. Does not the gentleman believe that within reasonable bounds a magazine that might be issued by the Agricultural Department, more extensive than that issued in the weekly crop report, might be of great advantage?

Mr. MANN. I think very likely; but no part of the Forest Service appropriation can be used now for the payment of any of these publications, either in the Department of Agriculture or any place else. The Department of Agriculture issues a Weekly News Letter, but if they use any of the Forest Service money in connection with it they are violating the law—if they publish any information that comes from the Forest Service or that is prepared by any official of the Forest Service.

Mr. FOSTER. I am inclined to think it would be a good thing to let them publish one.

Mr. MANN. I remember when the item went in. I think the House was in hysterics at the time.

Mr. FOSTER. I think so, too.

The Clerk read as follows:

Hereafter the Secretary of Agriculture is authorized, under general regulations to be prescribed by him, to permit the prospecting, development, and utilization of the mineral resources of the lands acquired under the act of March 1, 1911 (36 Stats., p. 961) known as the Weeks law, upon such terms and for specified periods, or otherwise, as he may deem to be for the best interests of the United States; and all moneys received on account of charges, if any, made under this act shall be disposed of as is provided by existing law for the disposition of receipts from national forests.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. My particular objection is to the use of the word "Hereafter," making permanent law of it.

Mr. LEVER. Mr. Chairman, if the gentleman will withdraw his point of order, I shall ask to strike out the word "Hereafter." This bill passed the House and the Senate. It was put on the bill in the Senate, and it passed both bodies. Both bodies having acted upon it, the committee assumed that it was the wish of Congress that it should become a law, and we undertook to make it a law by the use of this language.

Mr. STAFFORD. Mr. Chairman, on the strength of the statement of the gentleman that he will strike out the word "Hereafter," I withdraw the point of order.

Mr. LEVER. Mr. Chairman, I move to amend by striking out the word "Hereafter" at the beginning of the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 44, line 12, strike out the word "Hereafter."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

BUREAU OF CHEMISTRY.

Salaries, Bureau of Chemistry: One chemist, who shall be chief of bureau, \$5,000; 1 chief clerk, \$2,500; 1 executive clerk, \$2,120; 2 executive clerks, at \$2,000 each; 8 clerks, class 4; 11 clerks, class 3; 1 clerk, \$1,440; 14 clerks, class 2; 1 clerk, \$1,300; 42 clerks, class 1; 1 clerk, \$1,100; 13 clerks, at \$1,020 each; 13 clerks, at \$1,000 each; 1 clerk, \$960; 34 clerks, at \$900 each; 1 clerk, \$840; 1 clerk, \$720; 2 food and drug inspectors, at \$2,500 each; 2 food and drug inspectors, at \$2,250 each; 1 food and drug inspector, \$2,120; 11 food and drug inspectors, at \$2,000 each; 13 food and drug inspectors, at \$1,800 each; 1 food and drug inspector, \$1,620; 11 food and drug inspectors, at \$1,600 each; 13 food and drug inspectors, at \$1,400 each; 1 assistant, \$1,600; 4 laboratory helpers, at \$1,200 each; 1 laboratory helper, \$1,020; 4 laboratory helpers, at \$1,000 each; 4 laboratory helpers, at \$840 each; 2 laboratory helpers, at \$900 each; 6 laboratory helpers, at \$780 each; 23 laboratory helpers, messenger boys, or laborers, at \$720 each; 2 laboratory helpers, messenger boys, or laborers, at \$660 each; 34 laboratory helpers, messenger boys, or laborers, at \$600 each; 1 laboratory assistant, \$1,200; 1 tool-maker, \$1,200; two samplers, at \$1,200 each; 1 janitor, \$1,020; 1 mechanic, \$1,400; 1 mechanic, \$1,200; 1 mechanic, \$1,020; 1 mechanic,

\$960; 1 mechanic, \$900; 2 student assistants, at \$300 each; 2 messengers, at \$840 each; 1 skilled laborer, \$1,050; 1 skilled laborer, \$840; 3 messenger boys or laborers, at \$540 each; 12 messenger boys or laborers, at \$480 each; 3 messenger boys or laborers, at \$420 each; 2 messenger boys or laborers, at \$360 each; 9 charwomen, at \$240 each; in all, \$363,110.

Mr. COX. Mr. Chairman, I make the point of order against the figures "\$2,120" at the top of page 45, line 1.

Mr. LEVER. I concede the point of order, and offer the following amendment in lieu of that, which I send to the desk.

The Clerk read as follows:

Page 45, line 1, after the word "clerk," insert the figures "\$2,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For enabling the Secretary of Agriculture to carry into effect the provisions of the act of June 30, 1906, entitled "An act for preventing the manufacture, sale, or transportation of adulterated, or misbranded, or poisonous, or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," in the city of Washington and elsewhere, including chemical apparatus, chemicals and supplies, repairs to apparatus, gas, electric current, official traveling expenses, telegraph and telephone service, express and freight charges, and all other expenses, employing such assistants, clerks, and other persons as may be considered necessary for the purposes named, and rent outside of the District of Columbia; and to cooperate with associations and scientific societies in the revision of the United States Pharmacopoeia and development of methods of analysis, \$623,521.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I want to make an inquiry in reference to the paragraph on page 48, lines 5 to 9:

For the study and improvement of methods of utilizing by-products of citrus fruits; and the investigation and development of methods for determining maturity in fruits and vegetables, in cooperation with the Bureau of Plant Industry and the Bureau of Markets, \$13,000.

I am unable to see the correlation between investigating the by-products of citrus fruits and studying the maturity of vegetables.

Mr. HAWLEY. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. HAWLEY. In the administration of the law against the misbranding of products it was determined that oranges that had passed through a certain process to give them a yellow appearance were misbranded, and the orange and other fruit growers, in order to avoid a violation of the law intentionally and yet to present their products in good form, have asked the department to determine what is a mature period in the fruit, so that they can sell it as mature fruit without being under penalty for violating that provision of the law.

Mr. MANN. Well, that is all right; but I was trying to find out this, namely: Here is a division of the Department of Agriculture which has grown up under an appropriation of \$8,000 to determine methods of utilizing the by-products of citrus fruits. That has no connection whatever, naturally, with determining whether the coloring of citrus fruits is proper or improper, and certainly nothing to do with determining the maturity of vegetables. Why do they pay the same men at work attempting to do these things that are as widely separated as the poles?

Mr. HAWLEY. Probably the same men will not be engaged in the different kinds of work. That arises apparently from the inclusion in one paragraph of two lines of work.

Mr. MANN. Certainly, with one appropriation.

Mr. HAWLEY. But the allowance will be allotted to the two projects and two sets of men will be appointed.

Mr. MANN. I do not know whether it will be allotted to the two projects or not. The gentleman can only know from the estimates.

Mr. HAWLEY. We can know from the project book.

Mr. MANN. You can know from the project book. It may or may not be carried out. What is the purpose of putting these together when there is no relationship between them?

Mr. LEVER. If the gentleman from Illinois will permit—

Mr. MANN. I should say that the maturity of fruits and vegetables would have little to do with the by-products of citrus fruits.

Mr. LEVER. In the citrus industry the department found that there was considerable of a problem as to maturity of fruits. It is possible the men who investigated citrus fruits made that same discovery. It may be that these same men, engaged in the line of work on citrus fruits, would be more competent to consider the maturity of vegetables.

Mr. MANN. They put one man at the head. There is no relationship between them. It looks to me, to speak candidly, like seeking to enlarge the jurisdiction of its work, seeking to grasp some work that does not belong to it, and therefore they have run it under an item to which nobody is opposed for the

study of by-products of citrus fruits, and, having the head of the camel in the tent, I think he will carry away the tent.

Mr. LEVER. The gentleman from Illinois has followed this bill so closely and so long that he knows that there are many items grouped together in it that have no relation at all. This bill has grown up—something like Topsy.

Mr. MANN. There is no other place in this bill where you seek to mix water and oil like you do here.

Mr. LONGWORTH. I should like to ask the gentleman the meaning of the paragraph on lines 15 and 16, with regard to table sirup?

Mr. LEVER. Two years ago, I believe it was, we authorized an appropriation in the Bureau of Plant Industry to carry on some investigations in the State of Georgia in the matter of manufacturing sirup from cane, and for a study of the sirup after it was manufactured. No study has been made in cooperation with the Bureau of Chemistry. One part of the work is now to be conducted by the Bureau of Plant Industry, but the purely chemical and manufacturing features of the work will be carried on by the Bureau of Chemistry, and the amount charged to the Bureau of Chemistry as we have set it out here.

Mr. LONGWORTH. Then this is not a question of the so-called fake sirup? It is a question of a development of the legitimate production of sirup?

Mr. LEVER. Yes, sir.

Mr. TILSON. I notice there was an item for the purchase and equipment of a traveling laboratory. Was such a laboratory constructed?

Mr. LEVER. Yes, sir.

Mr. TILSON. And if so, is it appropriated for in this bill this year?

Mr. LEVER. No, sir; it is not. They completed the laboratory.

Mr. TILSON. That is one item that has been extended and has not produced a continuing expense?

Mr. COX. There are two—namely, logged-off land and wild ducks.

Mr. CANNON. I would like to inquire of the gentleman from South Carolina what a traveling laboratory is for? How is it used?

Mr. LEVER. This laboratory was requested by the Department of Agriculture in administering some of the work it was doing on the road. Just the details of that, I will say frankly to the gentleman, have passed out of my mind. I can refresh my memory on it, however.

Mr. CANNON. I can see how it could be very useful in a dry State. [Laughter.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF SOILS.

Salaries, Bureau of Soils: One soil physicist, who shall be chief of bureau, \$4,000; 1 chief clerk, \$2,120; 1 executive assistant, \$2,000; 4 clerks, class 4; 2 clerks, class 3; 5 clerks, class 2; 1 clerk, \$1,200; 8 clerks, class 1; 5 clerks, at \$1,000 each; 5 clerks, at \$900 each; 1 soil cartographer, \$1,800; 1 chief draftsman, \$1,600; 1 soil bibliographer or draftsman, \$1,400; 1 photographer, \$1,200; 5 draftsmen, at \$1,200 each; 1 clerk-draftsman, \$1,200; 2 draftsmen, at \$1,000 each; 1 laboratory helper, \$1,000; 3 laboratory helpers, at \$840 each; 1 machinist, \$1,380; 1 instrument maker, \$1,200; 1 machinist's helper, \$900; 1 messenger, \$840; 3 messengers, messenger boys, or laborers, at \$480 each; 2 laborers, at \$600 each; 1 laborer, \$300; 1 charwoman or laborer, \$480; in all, \$72,340.

Mr. COX. Mr. Chairman, I make the point of order against the increase of \$2,120 at the end of line 19, page 49.

Mr. LEVER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 49, line 19, after the word "clerk," insert the figures "\$2,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to. The Clerk read as follows:

That so much of the appropriation of \$175,000 made by the Agricultural appropriation act for the fiscal year 1917 for the investigation and demonstration within the United States to determine the best method of obtaining potash on a commercial scale, including the establishment and equipment of such plant or plants as may be necessary therefor, as remains unexpended, is hereby reappropriated and made available until expended for the purposes named.

Mr. FOSTER. Mr. Chairman, I reserve a point of order on the paragraph beginning on line 21, page 51, relating to potash. I would like to inquire of the gentleman from South Carolina something of just what has been done out in California with reference to the building of this plant and what remains unexpended, and how it is to be used in the next year?

Mr. LEVER. I will say to the gentleman from Illinois that practically none of this amount of \$175,000 has been expended. The Secretary of Agriculture sent one of his experts to the Pacific coast some time just before we had hearings on this item, and this young man reported back to him that he did not believe that he could induce the private individuals who were going into the manufacture of potash for ammunition purposes out there to become very much interested in it, and brought back to the Secretary a rather discouraging report. The expert, however, was not discouraged. The Secretary himself was not entirely discouraged. In a later interview with another party, who has a concern in operation out there, the expert of the department convinced this gentleman that, by the installing of proper machinery and by the reduction of waste, and by the utilization of the by-products of potash, such as iodine and other things, a profit could be made from the manufacture of potash out of the giant kelp under normal conditions, conditions such as existed before the outbreak of the European war.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. MANN. I read this report. I am not sure that my recollection is fresh. My recollection is that there are several plants out there now making potash from kelp at a large profit, owing to the unusual price of potash during the continuance of the European war. But they were afraid that they would not continue to make the potash after the war was over for fear that they could not make it at a profit.

Mr. LEVER. The gentleman's recollection, as usual, is correct. They are manufacturing potash out there now with almost no regard for the cost of manufacture, because of the enormous profit in it caused by these war prices. But what we are driving at here, and what we are investigating, is whether or not there is a possibility of manufacturing potash out of kelp to be used as fertilizer in competition with German potash.

The Secretary of Agriculture did not feel that with the information which he had at the time of making these estimates, or even at the time of the hearings on this bill, he was justified in spending very much of this money in the way of erecting a plant. He desires further time to look into the situation, and, therefore, he asks for the reappropriation of the funds provided for in the bill last year.

Mr. MANN. These people who are making potash there now, several of them, are making a profit without probably a too fine regard for the cost of production; but they are just as anxious to make more profit as anybody else. Is not the gentleman from South Carolina inclined to believe that with their experience, when the price of potash goes down, and maybe before, they will know as much about it as somebody who has never manufactured it can tell them, and that they will endeavor to save by means of the utilization of the by-products, which now they do not save?

Mr. LEVER. That is probably true; and yet I do not think it would justify us in disallowing a continuance of this appropriation, because the Secretary has certainly acted in the utmost good faith with Congress on the proposition; else it might have been wasted. Instead of doing that, he has spent practically none of it, except incidentally for traveling expenses.

Mr. MANN. He has not spent any of it, because it was not necessary. Owing to the high price of potash, they have established these plants there and are manufacturing potash out of kelp, and they have made a profit on it. They have got the plants. It was not necessary for the Government to establish a plant to ascertain if potash could be made out of kelp, because these people are doing it. Now, if they do not succeed when the war is over and the price of potash goes down, will it not be time enough then to embark on these experiments, and in the meantime save money by discontinuing the building of plants in competition with them?

Mr. LEVER. The potash situation in this country is so acute, and has been since the outbreak of the war in Europe, that it presses very strongly on us—on the minds of those who know this situation—the absolute necessity of this Government going to extremes in order to make itself self-sustaining in the manufacture of potash.

Mr. MANN. The effect of this will not be felt until the war is over, and the price of potash is reduced. Of course, when the price of potash is reduced we will have an ample supply.

Mr. LEVER. We ought to take advantage of the situation now, when we are cut off from potash abroad and people are suffering from the lack of it. We ought to take advantage of the situation now to engage every energy in an effort to relieve that situation. I do not believe that a great country like this, so dependent in many sections upon potash for the growing of crops, ought to be dependent on a foreign nation for such a fertilizer.

Mr. MANN. The gentleman will do me the credit of admitting that I was the first one to make the proposition that the Government ought to find potash and I have been in favor of it all through.

Mr. LEVER. That is true.

Mr. MANN. What occurs to me is that with plants actually in operation they will learn more about it than the Government officials, and it is not necessary when you have plants in actual operation for the Government to construct another plant in order to find out something about it.

Mr. LEVER. The Secretary of Agriculture has taken almost the gentleman's own position in this matter. He was authorized to construct a plant at a cost of \$175,000. He has been making an effort during the six months that have passed since this appropriation was available to form a cooperative arrangement with the plants out there to do this work. The fact has been that those gentlemen, with their enormous profits, are doing business in such an extravagant way that the facts and figures which would be developed through any cooperative arrangement that might be made with them would not really be the true facts. In other words, these folks are drunk with their own wealth, as it were, and are spending money like hot cakes, counting very little the cost of production. That is the situation as it comes to the committee.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes; I yield.

Mr. LONGWORTH. I agree entirely with the gentleman that almost any amount of money that this Government could expend for this purpose, for the purpose of developing a self-sustaining potash industry in this country, would be money well spent.

Mr. LEVER. The gentleman has been very active in that direction.

Mr. LONGWORTH. I very much hope that all points of order will be withdrawn in this case, because I believe what the gentleman says is true, and with the present price of potash, which I believe is about 10 times the normal, the present plants are working at a very extravagant rate, in a way not utilizing the by-products as an intelligent effort on the part of the Government might show they could be used. And, furthermore, I understand that in Japan there are at least 50 plants in operation, and that they are producing potash at a cost which would give a profit, even under the old price of potash, by the proper utilization of their by-products. That was my information last year on the Pacific coast.

Mr. FOSTER. I think the gentleman is correct about that; but there are many other matters to take into consideration when we are increasing the supply of potash by other methods.

Mr. LONGWORTH. No; I was referring to the production of potash entirely from kelp, and that is the object of this plant.

Mr. FOSTER. They get it from the kelp in Japan.

Mr. LONGWORTH. But I understand that the supply of kelp on the Pacific coast runs from San Diego up to Alaska. I have seen it at San Diego, and there is relatively a smaller supply on the Japanese coast, and those two coasts are the only ones in the world where there is any of this giant kelp from which potash is produced. The supply lying there at our doors is more than enough to supply all the potash that is used in the United States, if a merchantable way of producing it can be found. The purpose of this is to ascertain such methods, as I understand.

Mr. LEVER. That is very true, and I can say to the gentleman from Illinois that I believe he can, with the utmost confidence, trust the Secretary of Agriculture not to misuse this fund.

Mr. FOSTER. The purpose for which I reserved the point of order was to find out what had been done in reference to this matter in the last year.

Mr. LEVER. Very little has been done, except that the Secretary has been looking into the situation carefully.

Mr. FOSTER. On the statement of the gentleman I am going to withdraw the point of order.

Mr. STAFFORD. I make the point of order. I fully agree with the position of the gentleman from Illinois [Mr. MANN] that this is no time to make experiments. Therefore I make the point of order on the paragraph.

Mr. RANDALL. Will the gentleman withhold the point of order for a moment?

Mr. STAFFORD. I will withhold it to allow the gentleman from California to make a statement.

Mr. RANDALL. It so happens that the potash industry is centered in the city of Long Beach, Cal., and is absolutely in an experimental stage. There are a number of factories in Long Beach which are simply experimenting, and not making enormous profits, as the chairman of the committee has stated.

That is my understanding. These factories are not making any considerable profit, and are simply in the experimental stage. There may be a few of them that are making a little bit of money, but it is not understood that that applies to them generally.

Mr. MANN. Does the gentleman say they are not making a profit?

Mr. RANDALL. They may be making a little profit on a small scale. They are in the experimental stage.

Mr. MANN. The inspector who was sent out there said they were making very large profits.

Mr. RANDALL. Relatively they may be, but the business is being carried on there on a very small scale.

Mr. STAFFORD. How much capital is invested? How many plants are engaged in the manufacture?

Mr. RANDALL. I can not state that.

Mr. STAFFORD. Generally speaking, the gentleman says they are in the experimental stage. Does it require a large investment of capital to conduct these operations on an experimental scale?

Mr. RANDALL. I think not.

Mr. STAFFORD. Does not the gentleman think that if private capital is experimenting in the development of the potash industry, it will be just as alert in trying to find out economic methods of manufacture as a Government expert who has no practical knowledge?

Mr. RANDALL. Oh, no; the Government is much better equipped for the work of experimentation.

[Mr. KINKAID addressed the committee. See Appendix.]

Mr. MANN. Mr. Chairman, we have been here since 11 o'clock hard at work. It is now nearly half-past 5. We have made rapid progress on the bill, and I suggest that the gentleman from South Carolina move that the committee rise. There is another inducement for me to make the suggestion to the gentleman, because in 1875, on the 5th day of January, was born one of the ablest, strongest, and best-beloved Members in this House, and this is the anniversary of his birth. I refer to the gentleman from South Carolina, Mr. LEVER, and I think he is entitled to quit. [Applause.]

Mr. LEVER. I am much obliged to the gentleman from Illinois, although I would like to have the point of order disposed of. But I will move, Mr. Chairman, that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CONRY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 19359, the Agricultural appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. LITTLEPAGE, by unanimous consent, was given leave of absence for two days, on account of illness.

HOURLY MEETING TO-MORROW.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. STAFFORD. Reserving the right to object, I understand that to-morrow is Saturday, and if we meet at 11 a. m. we will adjourn early, in accordance with that southern custom of not working on Saturday afternoon.

Mr. LEVER. I think we can finish the bill to-morrow, and I am willing to adjourn as soon as the bill is finished.

ADJOURNMENT.

And then, on motion of Mr. LEVER (at 5 o'clock and 28 minutes p. m.), the House adjourned until to-morrow, Saturday, January 6, 1917, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Playa del Rey Inlet and Basin, Venice, Cal. (H. Doc. No. 1880); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary ex-

amination and survey of Machias River, Me. (H. Doc. No. 1881); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

3. A letter from the Secretary of War, transmitting copy of the proceedings of a board of officers convened in accordance with the authority of the national-defense act, approved June 3, 1916, to investigate and report upon the feasibility, desirability, and practicability of the Government manufacturing arms, munitions, and equipment and certain other allied questions (S. Doc. No. 664); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Licking River, Ky., for a distance of about 10 miles from its mouth (H. Doc. No. 1882); to the Committee on Rivers and Harbors and ordered to be printed.

5. A letter from the Secretary of War, transmitting tentative draft of an additional proviso to supplement the item, "Arming, equipping, and training the National Guard," page 347, Book of Estimates, 1918 (H. Doc. No. 1883); to the Committee on Military Affairs and ordered to be printed.

6. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Jacob Sheek v. The United States (H. Doc. No. 1884); to the Committee on War Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and a resolution were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the joint resolution (H. J. Res. 323) to amend a joint resolution entitled "Joint resolution creating a joint subcommittee from the membership of the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce to investigate the conditions relating to interstate and foreign commerce, and the necessity of further legislation relating thereto, and defining the powers and duties of such subcommittee," approved July 20, 1916, reported the same with amendment, accompanied by a report (No. 1251), which said bill and joint resolution were referred to the Committee of the Whole House on the state of the Union.

Mr. STEELE of Pennsylvania, from the Committee on the Judiciary, to which was referred the bill (S. 706) to amend section 260 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, reported the same without amendment, accompanied by a report (No. 1252), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. KAHN, from the Committee on Military Affairs, to which was referred the bill (H. R. 19423) granting to the city and county of San Francisco, State of California, a right of way for a storm-water relief sewer through a portion of the Presidio of San Francisco Military Reservation, reported the same without amendment, accompanied by a report (No. 1253), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MOORE of Pennsylvania: A bill (H. R. 19680) designating October 27 of each year as National Fraternal Day, to be devoted to conserving the home, fraternalism, and happiness; to the Committee on the Judiciary.

By Mr. McANDREWS: A bill (H. R. 19681) authorizing and directing the Secretary of War to make certain provisions for the care of Federal and Confederate veteran soldiers who served in the War between the States, 1861 to 1865, to enable them to unite in participation of a national memorial reunion and peace jubilee to be held in the national domain within the Vicksburg National Military Park, October 16, 17, 18, and 19, 1917; to the Committee on Appropriations.

By Mr. CARAWAY: A bill (H. R. 19682) to authorize a survey of the Black River, Ark. and Mo.; to the Committee on Rivers and Harbors.

By Mr. RUSSELL of Missouri: A bill (H. R. 19683) to authorize a survey of the Black River, Ark. and Mo.; to the Committee on Rivers and Harbors.

By Mr. HASTINGS: A bill (H. R. 19684) to amend section 9 of an act entitled "An act for the removal of restrictions from part of the lands of allottees of the Five Civilized Tribes, and for other purposes," approved May 27, 1908, conferring jurisdiction upon district courts to partition lands belonging to full-blood heirs of allottees of the Five Civilized Tribes; to the Committee on Indian Affairs.

By Mr. KEARNS: A bill (H. R. 19685) authorizing the Secretary of War to deliver to the village of Decatur, Brown County, Ohio, one condemned bronze or brass cannon, with the carriage, and a suitable outfit of cannon balls; to the Committee on Military Affairs.

By Mr. BURNETT: A bill (H. R. 19686) to confirm and ratify the sale of the Federal building site at Honolulu, Territory of Hawaii, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. VOLSTEAD: A bill (H. R. 19687) to declare certain alien children naturalized citizens of the United States; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 19688) to prohibit shipment in interstate commerce of intoxicating beverages except to public vendors; to the Committee on the Judiciary.

By Mr. CRISP: A bill (H. R. 19689) to repeal the tax on oleomargarine; to the Committee on Agriculture.

By Mr. MORRISON: Joint resolution (H. J. Res. 330) authorizing the Secretary of War to grant permission to erect monuments in national cemeteries in certain cases; to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 19690) granting a pension to Margaret A. Weed; to the Committee on Pensions.

By Mr. ASHBROOK: A bill (H. R. 19691) granting an increase of pension to Joseph R. Moore; to the Committee on Invalid Pensions.

By Mr. ASWELL: A bill (H. R. 19692) granting an increase of pension to George Butterbaugh; to the Committee on Invalid Pensions.

By Mr. BEALES: A bill (H. R. 19693) granting an increase of pension to John L. B. Breighner; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 19694) granting an increase of pension to Peter F. Baker; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 19695) granting an increase of pension to Eli Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19696) granting an increase of pension to Walter F. Soper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19697) granting an increase of pension to James Rolls; to the Committee on Invalid Pensions.

By Mr. CONNELLY: A bill (H. R. 19698) granting an increase of pension to Jacob Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19699) granting an increase of pension to Joseph McArmstrong; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 19700) granting an increase of pension to William Gundy; to the Committee on Invalid Pensions.

By Mr. ELSTON: A bill (H. R. 19701) for the relief of Samuel R. Douglas; to the Committee on Military Affairs.

By Mr. FORDNEY: A bill (H. R. 19702) granting an increase of pension to Valentine Fish; to the Committee on Invalid Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 19703) granting an increase of pension to Joseph H. Steel; to the Committee on Invalid Pensions.

By Mr. HELM: A bill (H. R. 19704) granting a pension to Harrison M. Pendleton; to the Committee on Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 19705) granting an increase of pension to William H. Beardsley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19706) granting a pension to Edmund S. Auld, alias Storey E. Auld; to the Committee on Pensions.

Also, a bill (H. R. 19707) granting a pension to Aurelia E. Wilkins; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 19708) granting an increase of pension to Thomas Cullum; to the Committee on Invalid Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 19709) granting a pension to Lottie E. Beisser; to the Committee on Pensions.

By Mr. LESHER: A bill (H. R. 19710) granting an increase of pension to George Reiley; to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 19711) granting an increase of pension to Thompson N. Lupton; to the Committee on Invalid Pensions.

By Mr. NORTH: A bill (H. R. 19712) granting an increase of pension to Levi Lindenmuth; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 19713) granting an increase of pension to Johanna Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19714) granting an increase of pension to Bridget M. Fauls; to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 19715) to remove the charge of desertion from the record of Wilks Whitfield; to the Committee on Military Affairs.

By Mr. PAIGE of Massachusetts: A bill (H. R. 19716) granting a pension to Carrie B. Wilson; to the Committee on Invalid Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 19717) granting an increase of pension to William White; to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 19718) granting an increase of pension to John A. Lovens; to the Committee on Invalid Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 19719) granting an increase of pension to Wilson J. Parker; to the Committee on Invalid Pensions.

By Mr. STERLING: A bill (H. R. 19720) granting a pension to Mary L. Steere; to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 19721) granting an increase of pension to Almeron Cross; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 19722) granting an increase of pension to Sylvania Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19723) granting an increase of pension to John S. Harrelson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19724) granting an increase of pension to Francis M. Cramer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19725) granting back pension to Aurelia Colwell; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 19726) for the relief of the heirs of Ewing M. Skaggs; to the Committee on War Claims.

By Mr. WHALEY: A bill (H. R. 19727) waiving the age limit for admission to the United States Marine Corps in the case of Frank K. Lesesne; to the Committee on Naval Affairs.

By Mr. CRISP: Resolution (H. Res. 433) to pay one month's salary to Lamar Tribble, late clerk to Hon. S. J. TRIBBLE, deceased; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the National Association of Life Underwriters, favoring bill for incorporation of the National Association of Underwriters; to the Committee on Interstate and Foreign Commerce.

Also, letter from the Secretary of War, transmitting report of the commanding officer of Watertown Arsenal of tests of iron and steel and other materials for industrial purposes; to the Committee on Military Affairs.

By Mr. BAILEY: Petition of Richard Roberts, George E. Wilson, H. H. McElronn, David Duncan, William Golland, Harry Sheeder, Joseph Strouse, Henry Allsapp, Henry F. Fry, A. G. Clemens, John L. Finan, Guy P. Masters, George Mapstone, Leslie Jones, William Roberts, Edward Roberts, Charles B. St. Clair, John Whitehouse, Henry Lester, William E. Sanders, Robert Smith, Charles Smith, Robert Giles, William Clifford, G. H. Rice, S. W. Cohen, John Wonders, Stephen Owens, Lawrence McCarthy, Philip George, jr., Joseph McQuillen, Thomas R. Lewis, William J. Allen, W. G. Bassett, John Dincho, Thomas Hall, William Fisher, Charles L. Berkey, H. L. Bauers, Thomas K. Wicks, John Truman, Russel Eplett, Benjamin S. Jones, Walter Dimond, Dorsey Hutzell, Thomas Peden, and Fred Waltz, all of South Fork, Pa., and B. L. McCahan and Abe Wise, of Ehrenfeld, Pa., for an embargo on the exportation of farm products, clothing, and other necessities of life; to the Committee on Interstate and Foreign Commerce.

By Mr. BEALES: Papers in support of House bill 19693, for relief of John L. B. Breighner; to the Committee on Invalid Pensions.

Also, petition of Pen Mar County Agricultural Fair Association, of Fawn Grove, Pa., protesting against an embargo on agricultural products; to the Committee on Interstate and Foreign Commerce.

By Mr. BRUCKNER: Petition of American Bar Association, favoring passage of Senate bill 4551, relative to power vested in Supreme Court; to the Committee on the Judiciary.

Also, petitions of sundry citizens of New York against zone bill; to the Committee on the Post Office and Post Roads.

Also, petition of Bakery and Confectionery Workers' International Union of America against national prohibition; to the Committee on the Judiciary.

Also, petition of Edwin P. Gleaso & Son, of New York, favoring universal military training; to the Committee on Military Affairs.

Also, petitions of Charles Yontiff against universal military training; to the Committee on Military Affairs.

Also, memorial of Capitol District of New York State against construction of bridge pier in channel of Hudson River below Castleton; to the Committee on Interstate and Foreign Commerce.

Also, petitions of sundry citizens of New York City against discontinuance of pneumatic tube-mail service; to the Committee on the Post Office and Post Roads.

By Mr. BURKE: Petition of Edward Friedrich and 60 other citizens of Lomira, Dodge County, Wis., protesting against the passage of the following bills: House bill 18986, to exclude liquor advertisements from the mails; Senate bill 4429, to exclude liquor advertisements from the mails; Senate bill 1082, providing for prohibition for the District of Columbia; House joint resolution 84, providing for nation-wide prohibition; and House bill 17850, to prohibit commerce in intoxicating liquors between the States; to the Committee on the Post Office and Post Roads.

By Mr. CARY: Petition of Edward G. Asmus, of Milwaukee, Wis., favoring increased salaries for Government employees; to the Committee on Appropriations.

Also, memorials of International Union of the United Brewery Workmen, of Milwaukee, Wis., and Cincinnati, Ohio, and Central Federated Union of New York, opposing enactment of any prohibition laws; to the Committee on the Judiciary.

Also, memorial of storekeepers and gaugers, civil-service employees in the Internal-Revenue Service, of the first district of Wisconsin, favoring increase in Government salaries; to the Committee on Appropriations.

By Mr. CHARLES: Petition of Chalmers Knitting Co., of Amsterdam, N. Y., against increase of postage on second-class matter; to the Committee on the Post Office and Post Roads.

Also, petition of Carl & Co., Schenectady, N. Y., against Stephens price-maintenance bill; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Union 85, Brotherhood of Electrical Workers, Schenectady, N. Y., favoring embargo on foodstuffs; to the Committee on Interstate and Foreign Commerce.

By Mr. DALE of New York: Petition of the Bankers' Publishing Co., against increase of postage on second-class matter; to the Committee on the Post Office and Post Roads.

Also, memorial of American Federation of Teachers, asking increase in salaries of public-school employees in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of Hogan & Son, of New York City, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. DAVIS of Texas: Petition of Fred W. Davis, commissioner of agriculture, Houston, Tex., in re legislation affecting citrus-canker eradication; to the Committee on Agriculture.

Also, petition of Solon Goode, of Dallas, Tex., opposing increase in second-class postage; to the Committee on the Post Office and Post Roads.

Also, petition of W. A. Green, of Dallas, Tex., opposing Stephens bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Marshall Smith, of Brownwood, Tex., favoring 1-cent postage; to the Committee on the Post Office and Post Roads.

By Mr. DOOLING: Memorial of Board of Aldermen of New York City, favoring pneumatic-tube service in New York City; to the Committee on the Post Office and Post Roads.

By Mr. DOWELL: Petition of sundry citizens of Des Moines, Iowa, relative to attitude United States should assume in European war; to the Committee on Foreign Affairs.

By Mr. DUNN: Petition of letter carriers and post-office clerks at Rochester, N. Y., asking for an increase in salary; to the Committee on the Post Office and Post Roads.

By Mr. EAGAN: Petition of International Union of the United Brewery Workmen of America, favoring Nolan minimum-wage bill; to the Committee on Labor.

Also, petition of sundry citizens of the State of New Jersey favoring suffrage for women; to the Committee on the Judiciary.

By Mr. FITZGERALD: Memorial of New York Canners' Association favoring an appropriation for the Bureau of Standards; to the Committee on Agriculture.

Also, petition of 625 residents of the State of Michigan favoring an embargo on wheat; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER: Petitions of Frances Kilduff, of La Salle, and D. C. Murray & Co., of Streator, in the State of Illinois, against the Stephens price-maintenance bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of International Union of United Brewery Workmen, for increase of pay for Federal employees; to the Committee on Appropriations.

By Mr. GALLIVAN: Petition of Brotherhood of Painters, Decorators, and Paperhangers of America, Local Union No. 402, East Boston, Mass., favoring embargo on foodstuffs; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Boston branch of the first division, Railway Mail Association, for increase in pay of railway postal clerks; to the Committee on the Post Office and Post Roads.

By Mr. HAWLEY: Petition of 101 voters of Douglas County and 22 of Polk County, Oreg., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KEARNS: Memorial of Peerless Lodge, No. 762, Loyal Order of Moose, opposing increase in second-class rates; to the Committee on the Post Office and Post Roads.

By Mr. MORIN: Petition of American Federation of Teachers, Charles B. Stillman, president, of Chicago, Ill., with reference to increased salaries for teachers of the District of Columbia; to the Committee on the District of Columbia.

By Mr. NOLAN: Memorial of Board of Trade of San Francisco, Cal., opposing repeal of national bankruptcy act; to the Committee on the Judiciary.

By Mr. RANDALL: Memorial of Sailors' Union of the Pacific, favoring the building of a marine hospital at San Francisco; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of Marine Firemen, Tenders, Oilers, and Water Tenders' Union of the Pacific, favoring the building of a marine hospital at San Francisco; to the Committee on the Merchant Marine and Fisheries.

By Mr. ROWE: Memorial of Chamber of Commerce of the State of New York, relative to appointment of a tariff commission; to the Committee on Ways and Means.

Also, memorial of the Tenth Assembly District Republican Club, for establishment of another building way in Brooklyn Navy Yard; to the Committee on Naval Affairs.

Also, memorial of Board of Aldermen of New York City, The Bronx Board of Trade, Perry Burkhart Corporation, and others, of New York City, against discontinuance of the pneumatic mail-tube service; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Michigan: Petition of Don L. Marshall and 5 citizens, of Grand Lodge, Mich., favoring House bill 17806; to the Committee on the Post Office and Post Roads.

Also, papers to accompany House bill 18437, for pension of Ruth M. Hoag; to the Committee on Invalid Pensions.

Also, memorial of the Sprague Publishing Co., Detroit, Mich., against zone rate in postal appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. SNYDER: Memorial of citizens of Utica, N. Y., and vicinity, favoring bill for a national park on the Oriskany (N. Y.) battle ground; to the Committee on Military Affairs.

Also, petition of H. G. Munger, of Herkimer, N. Y., against the Stephens bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of railway postal clerks of thirty-third New York district, for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. STINESS: Petition of Typographical Union No. 245, of Woonsocket, R. I., against the proposed zone system for second-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. TEMPLE: Petition of Brown & Hamilton Co., New Castle, Pa., protesting against the Stephens bill; to the Committee on Interstate and Foreign Commerce.

By Mr. VAN DYKE: Memorial of Woman's Auxiliary, St. Paul Branch, Railway Mail Association, for increase in pay of all railway postal clerks; to the Committee on the Post Office and Post Roads.